



# Agenda

## LEGISLATION COMMITTEE

June 12, 2023  
1:00 P.M.

1025 Escobar Street, Room 110A  
Martinez, CA 94553  
or  
District III Office  
3361 Walnut Boulevard, Suite 140  
Brentwood, CA 94513

The public may attend this meeting at either above location. The public may also attend this meeting remotely via Zoom or call-in.

Join from PC, Mac, Linux, iOS or Android:  
<https://cccounty-us.zoom.us/j/87434558220>

Or Telephone, dial:  
1-888-278-0254 (US Toll Free)  
Conference code: 219464  
Conference code: 219464

[Find local AT&T Numbers](#)

Supervisor Ken Carlson, Chair  
Supervisor Diane Burgis, Vice Chair

**Agenda Items:** Items may be taken out of order based on the business of the day and preference of the Committee

1. **Introductions**
2. **PUBLIC COMMENT:** Persons who wish to address the Legislation Committee during public comment on matters within the jurisdiction of the Legislation Committee that are not on the agenda, may comment in person, via Zoom, or via call-in. All public comments will be limited to three minutes.
3. **RECEIVE and APPROVE the Record of Action for the May 8, 2023 meeting of the Legislation Committee, with any necessary corrections.**
4. **RECEIVE a report on federal matters of interest to the County and PROVIDE direction to staff and the County's federal lobbyist, as needed.**
5. **CONSIDER recommending the Board of Supervisors adopt the policy recommendations for the County's 2023-24 State and Federal Legislative Platforms, as recommended by the County's Clerk-Recorder and Registrar of Voters, Kristin B. Connelly.**
6. **CONSIDER finding AB 1238 (Ward) Hazardous Waste: Solar Panels consistent with the County's adopted 2023-24 State Legislative Platform or CONSIDER recommending a position of "Support" for AB 1238 to the Board of Supervisors, as recommended by the Hazardous Materials Commission.**
7. **CONSIDER finding AB 50 (Wood) Public Utilities: Timely Service: Customer Energization and SB 410 (Becker) Powering Up Californians Act consistent with the County's adopted 2023-24 State Legislative Platform or CONSIDER recommending a position of "Support" for AB 50 and SB 410 to the Board of Supervisors, as recommended by Supervisor Carlson.**
8. **CONSIDER providing input on AB 764 (Bryan) Local Redistricting and AB 1248 (Bryan) Local Redistricting: Independent Commissions or RECOMMENDING a position on the bills to the Board of Supervisors.**

9. **ACCEPT the report on the State Budget and State Bills of Interest to Contra Costa County and provide direction and/or input to staff and the County's state lobbyists, as needed.**
10. The next meeting is currently scheduled for **Monday, July 10 at 1:00 p.m.**
11. Adjourn

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*The Legislation Committee will provide reasonable accommodations for persons with disabilities planning to attend Legislation Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Legislation Committee less than 96 hours prior to that meeting are available for public inspection at 1025 Escobar St., 4th Floor, Martinez, during normal business hours.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

Lara DeLaney, Committee Staff  
Phone (925) 655-2057, Fax (925) 655-2066  
lara.delaney@cao.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

3.

**Meeting Date:** 06/12/2023  
**Subject:** Record of Action for Legislation Committee Meeting  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-08  
**Referral Name:** Record of Action  
**Presenter:** L. DeLaney                      **Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the discussions made in the meetings.

#### **Referral Update:**

Attached for the Committee's consideration is the draft Record of Action for its May 8, 2023 meeting.

#### **Recommendation(s)/Next Step(s):**

Staff recommends APPROVAL of the Record of Action for the May 8, 2023 meeting of the Legislation Committee, with any necessary corrections.

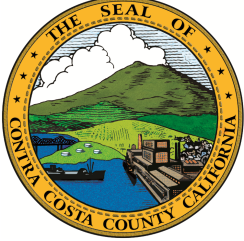
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#### **Attachments**

**DRAFT Record of Action**

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# DRAFT



## LEGISLATION COMMITTEE

RECORD OF ACTION FOR  
May 8, 2023

Supervisor Ken Carlson, Chair  
Supervisor Diane Burgis, Vice Chair

Present: Ken Carlson, Chair  
Diane Burgis, Vice Chair

Staff Present: Lara DeLaney, Senior Deputy County Administrator, staff to Committee; Jody London, Sustainability Coordinator; Colleen Awad, Senior District Rep., D. 4; Monica Nino, County Administrator; Luz Raygoza, ASA II, Employment and Human Services; Kristin Connelly, Clerk-Recorder and Registrar of Voters; Brian Balbas, Public Works Director; Teresa Gerringer, Chief of Staff, District III

Attendees: Geoff Neill, Paul Schlesinger and Jim Davenport

### 1. Introductions

*Chair Carlson convened the meeting at 1:01 p.m., introducing himself and Vice Chair Burgis.*

2. **PUBLIC COMMENT:** Persons who wish to address the Legislation Committee during public comment on matters within the jurisdiction of the Legislation Committee that are not on the agenda, may comment in person, via Zoom, or via call-in. All public comments will be limited to three minutes.

*Caller inquired as to whether Chair Carlson had a County office since he was attending the meeting at the Administration Building. Chair Carlson confirmed that he does have a County office but chooses to conduct Committee meetings at the Administration Building.*

3. Staff recommends APPROVAL of the Record of Action for the April 10, 2023 meeting of the Legislation Committee.

*The Record of Action was approved as presented.*

AYE: Chair Ken Carlson  
Vice Chair Diane Burgis

4. ACCEPT the report on federal matters of interest to Contra Costa County and provide direction to staff and the County lobbyists, as needed.

*The County's federal lobbyist, Jim Davenport from Thorn Run Partners, provided a recap of the status of the federal debt ceiling negotiations. He also addressed the status of the Appropriation bills to fund the federal government. Paul Schlesinger provided information about the impact on the County's community benefit projects, noting that all of the County projects had been advanced for funding consideration to the Appropriations committees. The County's issues with FEMA reimbursement for Non-Congregate Care costs were also addressed. Vice Chair Burgis had a conversation with Administration representatives, lobbying for our reimbursement and noting it could be a big financial impact to Counties if reimbursement were provided.*

AYE: Chair Ken Carlson  
Vice Chair Diane Burgis

5. CONSIDER elections related policy recommendations for the County's State and Federal Legislative Platforms from the County Clerk-Recorder and Registrar of Voters and provide direction, including recommendations for the Board of Supervisors, as needed.

*The County's Clerk-Recorder and Registrar of Voters provided a recap of her legislative platform proposals. Vice Chair Burgis requested input and feedback from the County's lobbyists on the proposals. She also advocated for the Certified Elections Observer program. The proposals would go back to the Legislation Committee in June before advancement to the Board of Supervisors.*

6. RECEIVE a report on the County's sponsored bills and other state bills of interest to the County and provide direction to staff and the County's state lobbyists, as needed.

*The County's lobbyist, Geoff Neill, provided a recap of the status of the County's sponsored bills. Vice Chair Burgis inquired about the impacts of the federal debt ceiling negotiations on the State. The federal lobbyist would provide a summary of potential impacts.*

AYE: Chair Ken Carlson  
Vice Chair Diane Burgis

7. The next meeting is currently scheduled for **June 12, 2023 at 1:00 p.m.**
8. Adjourn

*The meeting was adjourned at 2:00 p.m.*

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For Additional Information Contact:

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lara.delaney@cao.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

4.

**Meeting Date:** 06/12/2023  
**Subject:** Federal Legislation of Interest to Contra Costa County  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-07  
**Referral Name:** Federal Update  
**Presenter:** Paul Schlesinger, Thorn Run Partners      **Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

The Legislation Committee regularly receives reports on federal legislation and budget matters of interest to the County and provides direction to staff and the County's federal lobbyists. The County's lobbyists from Thorn Run Partners includes Mr. Paul Schlesinger, who will attend the Committee meeting via Zoom to provide additional information about the federal debt ceiling legislation, its impact on the FY 2024 federal budget appropriations, and potential impacts on the County's Community Project Funding requests. Other significant federal matters may also be discussed.

#### **Referral Update:**

##### **Debt Limit Package**

On May 31, the House voted 314-117 to advance legislation – entitled the Fiscal Responsibility Act of 2023 ([H.R. 3746](#)) – that would raise the federal [debt ceiling](#) until 2025. The bipartisan deal, which was announced over the Memorial Day weekend, was negotiated by President Joe Biden and House Speaker Kevin McCarthy (R-CA). In order to reach agreement, both sides were forced to make a series of spending and policy concessions, many of which received a cool reception from conservative Republicans and progressive Democrats alike.

On the evening of June 1, the Senate passed [63-36] the bipartisan Fiscal Responsibility Act, sending the bill to the President's desk for signature. In addition to suspending the debt limit until January 1, 2025, the Fiscal Responsibility Act includes a series of budgetary and policy reforms discussed in the attached analysis from the County's federal lobbyists, Thorn Run Partners.

#### **Supreme Court Issues Decisions in Cases With Implications for Counties**

From Rachel Mackey, NACo: On May 25, the U.S. Supreme Court released its decisions in two major cases impacting county governments. In *Sackett v. Environmental Protection Agency*, a case revolving around the definition of the 'waters of the United States' or WOTUS, the Court's ruling for the petitioner narrows the scope of what kinds of waters the federal government can regulate under the Clean Water Act. In *Tyler v. Hennepin County*, the Court held that local governments are not entitled to keep surplus equity from the sale of tax-forfeited properties.

##### **Sackett v. Environmental Protection Agency (EPA)**

The Supreme Court has been split since the 2006 case *Rapanos v. United States* over the proper test for determining whether a wetland or stream that is not navigable falls under the definition of "Waters of the United States" (WOTUS), making it subject to federal regulation under the Clean Water Act (CWA). In *Rapanos*, Justice Antonin Scalia provided a narrow definition of WOTUS, limiting it to "relatively permanent, standing or flowing bodies of water" and wetlands with a "continuous surface connection" to permanent waters. In contrast, Justice Anthony Kennedy found that wetlands with a "significant nexus" to navigable waters are WOTUS, with significant nexus meaning the wetlands "either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity" of navigable waters. This question came before the court again in *Sackett v. EPA*, a legal battle that began in 2008 when an Idaho couple, Michael and

Chantell Sackett, sought to build a house on an empty lot near a large lake and began backfilling the property. The Sacketts received a notice from the EPA to stop work because their lot contains wetlands protected by the CWA, which bars the discharge of pollutants, including rocks and sand, into “navigable waters.” The Sacketts sued, and then appealed after the Ninth applied the more broad “significant nexus” test to uphold the EPA’s judgment. The [Supreme Court ruling in Sackett](#) unanimously reverses the Ninth Circuit in favor of the Sacketts, rejecting once and for all the “significant nexus” test to narrow the reach of federal CWA protections. Only five justices joined in the opinion that imposes a new test for evaluating when the CWA does apply to wetlands, however. Under the majority opinion, whether the CWA can regulate a wetland depends on if it is “adjacent” to WOTUS—that is, “as a practical matter indistinguishable” from WOTUS, meaning that there must be “a continuous surface connection” to navigable waters. In other words, the CWA will only apply to wetlands that blend or flow into neighboring navigable waters. In three concurring opinions, the remaining justices agreed with the decision to overturn the Ninth Circuit ruling but disagreed with the underlying analysis, with some arguing the new test unduly or restricts federal authority, and others arguing it does not go far enough. NACo [joined an amicus brief](#) with the National League of Cities, the U.S. Conference of Mayors, the International Municipal Lawyers Association, the International City/County Management Association, and various local governments and water districts urging the Supreme Court to adopt a decision that clarifies that water supply and treatment, flood control and stormwater management infrastructure is not WOTUS under the CWA. The Supreme Court’s decision does not fully provide that clarity, as it is difficult to determine whether the new test will insulate county-owned infrastructure from WOTUS coverage, and it remains to be seen how the federal government will rewrite its regulations to comply with the ruling. However, because the test that the Court adopts limits the definition of WOTUS, it seems likely that at least some of the infrastructure that had previously been swept into the broader definition may be excluded. NACo will continue to engage with Congress and EPA as action on WOTUS continues. Learn more about county priorities for WOTUS [here](#).

### **Tyler v. Hennepin County**

Tyler v. Hennepin County centered on a lawsuit brought forth by Geraldine Tyler, who owed Hennepin County, Minnesota \$15,000 in unpaid property taxes, interest and penalties for a condo she did not reside in. She received a statutorily prescribed notice of foreclosure, failed to answer, and then never tried to redeem the property during the 3-year period allowed by the state. She also did not seek to repurchase the property. After the county sold the condo for \$40,000 and kept the proceeds above and beyond Tyler’s \$15,000 debt, Tyler sued, arguing that she was owed the \$25,000 surplus under the Fifth Amendment’s Taking Clause, which bars the government from taking private property for public use without adequately compensating the property owners, as well as the Eighth Amendment’s ban on excessive fines. In addition to arguing that keeping the surplus equity did not violate the Constitution, the County argued that Ms. Tyler did not have standing as she had additional encumbrances and liens on the property for an outstanding mortgage and HOA lien that amounted to more than the so-called equity in her property. NACo [joined an amicus brief](#) through the [Local Government Legal Center \(LGLC\)](#) in support of Hennepin County, arguing that the ability to keep surplus proceeds helps county governments afford the administrative costs associated with seizing and selling forfeited property. In a [9-0 decision](#), the Supreme Court rejected the County’s standing arguments and held that the County violated the Takings Clause (the Court did not reach the Excessive Fines question.) Under the majority opinion, county governments are not legally entitled to keep the profits from the sale of tax-forfeited property beyond the existing tax debt. However, the ruling preserves the ability of local governments to impose interest and late fees when a taxpayer fails to pay taxes and seize property to recover a tax debt, which are important enforcement mechanisms. As the Court points out in its decision, while Minnesota is in the minority, it is not alone in excluding surplus equity from the definition of property rights after title vests in the state or local government. Alabama, Arizona, California, Colorado, Illinois, Maine, Massachusetts, Minnesota, Nebraska, New Jersey, New York, Oregon and South Dakota all currently allow this practice. Additionally, in Alaska, Idaho, Nevada, Ohio, Rhode Island and Texas, local governments are allowed to keep surplus proceeds for a particular public use, while in Montana, state law permits local governments to keep the surplus proceeds from the sale of non-residential properties. States that currently allow for the retention of the surplus equity will need to update their statutes local governments will need to ensure that they are not keeping any surplus equity after the sale of a forfeited property. That said, the Court specifically noted that interest and fees on a tax debt would not be considered a Taking. The Court’s ruling also leaves open the possibility that states can seize surplus equity so long as they provide a mechanism for its return after the sale of the property. Property taxes are an essential revenue source that allow county governments to provide critical services to our residents, and delinquency undermines this process. While this ruling will restrict counties’ ability to keep surplus equity from the sales of tax-forfeited property (which often does not fully compensate for the lost revenue stemming from unpaid property taxes), it protects’ the ability of counties to pursue avenues such as penalties, fees and property forfeiture in response to property tax delinquency. NACo will continue to monitor the implications of the Court’s ruling for county governments.

### **Recommendation(s)/Next Step(s):**

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#### **Attachments**

**Attachment A: TRP Special Report on Fiscal Responsibility Act**



# Memorandum

May 31, 2023

## TRP SPECIAL REPORT: DETAILS OF THE BIPARTISAN FISCAL RESPONSIBILITY ACT

### EXECUTIVE SUMMARY

Following weeks of contentious negotiations and uncertainty over the debt ceiling, President Joe Biden and House Speaker Kevin McCarthy (R-CA) struck an agreement over the weekend that would avert a U.S. credit default in exchange for a series of budgetary and policy reforms. While negotiations leading up to this deal proved difficult, lawmakers now face a tight deadline to clear the package before the Treasury Department's anticipated June 5 "X date." This memo provides an overview of provisions contained within the package as well as a repository of documents and resources as they pertain to the bill.

### RELEVANT DOCUMENTS

- [Section-by-section](#)
- [Statement of Administration Policy](#)
- [GOP Section-by-section](#)
- [Rescissions Summary](#)
- [SNAP-TANF Background](#)
- [Appropriations One-pager](#)
- [Conservative Senate Opposition Talking Points](#)
- [Budget Agreement One-pager](#)

### LEGISLATIVE SUMMARY

In addition to suspending the debt limit until January 1, 2025, the [Fiscal Responsibility Act](#) includes the following policies:

- **Government spending.** The bill establishes two years of discretionary spending caps, as well as a one percent cut in government spending if all 12 appropriations bills do not pass by the end of the year. It also establishes discretionary spending limits for fiscal years (FY) FY 2026-2029, but these caps are not subject to the aforementioned sequestration rules. These discretionary spending limits are set at:
  - \$1.62 trillion for FY 2026
  - \$1.64 trillion for FY 2027
  - \$1.65 trillion for FY 2028
  - \$1.67 trillion for FY 2029



- **TANF.** The bill would establish a new five-state pilot program to encourage greater work and better family outcomes in the Temporary Assistance for Needy Families (TANF) program. The bill also takes steps to prevent states from sending “small checks” under the TANF program to employed SNAP recipients and require the Department of Health and Human Services (HHS) to collect data from states on outcome metrics for TANF recipients. The pilot program established under this provision would be authorized for six years.
- **SNAP.** Under the terms of the deal, the bill would tighten work requirements in the Supplemental Nutrition Assistance Program (SNAP) for able-bodied, low-income adults without dependents between the ages of 18-54. However, it would loosen work requirements for veterans, homeless individuals, and people leaving foster care. It would also decrease from 12 percent — established by the Agriculture Improvement Act of 2018 — to 8 percent, the number of able-bodied adults without dependents that qualify for an exemption from the federal work requirement for SNAP through FY 2023 and would sunset the exemption for fiscal 2024 and thereafter.
- **IRS Enforcement Funding.** The bill would claw back roughly \$20 billion in Inflation Reduction Act (IRA) funding for enforcement activities at the Internal Revenue Service (IRS). However, this provision is rumored to be a “handshake agreement” between Speaker McCarthy and President Biden and is not included in the text of the legislation. The bill itself only rescinds \$1.39 billion in unobligated balances originally appropriated to the IRS under the IRA. The agreement on the \$20 billion rescission is said to be repurposed over the next two fiscal years to shore up other non-defense spending priorities.
- **Rescissions.** The bill would rescind nearly \$30 billion in unobligated COVID-19 relief funds. Notable rescissions include: (1) \$10.4 billion from the Public Health and Social Services Emergency Fund — not to include cuts to programs involving vaccine development, testing procurement capacity, and other critical needs; (2) \$2.2 billion in Highway Infrastructure Programs — excluding funds provided for under the Infrastructure Investment and Jobs Act (IIJA); (3) \$1.7 billion in Centers for Disease Control (CDC) activities — excluding those involving genomic surveillance or vaccine safety and efficacy; and (4) \$1 billion in state unemployment insurance programs. A full list of the funding rescissions can be viewed [here](#).
- **Cost of War Toxic Exposure Fund.** The bill would appropriate funding to the Department of Veterans Affairs’ Cost of War Toxic Exposures Fund for FY 2024 and 2025. This would provide \$20.7 billion for FY 2024 and \$24.6 billion in FY 2025.
- **Administrative Pay-As-You-Go.** Under the bill, agencies would be required to submit any plans for certain discretionary administrative actions to the Office of Management and Budget (OMB) for review, including proposed actions the agency would take to cut direct spending, either greater than or equal to the increase that would result from the proposed action. Plans that do not include actions to offset direct spending would be sent back to the

agency, which would then have to resubmit the plan with an offset proposal. However, the OMB is granted the authority to waive this requirement for “essential services” or are deemed “necessary for effective program delivery.”

- **Student Loan Repayment.** The provision would end the pause on federal student loan payments and the accrual of interest on those loans 60 days after June 30, 2023. Additionally, the bill prohibits the Department of Education from extending this payment pause without congressional approval. The suspension of such payments was provided for under the CARES Act and would *not* nullify the Biden administration’s student loan debt forgiveness plan unveiled in August of 2022.
  
- **Permitting Reform.** Incorporate a series of modest permitting reforms within the National Environmental Policy Act (NEPA). These reforms include:
  - Elements of the **BUILDER Act**, codifying the One Federal Decision Framework, such as joint schedules, dispute resolution procedures, and single environmental impact statements.
  - Directing the Council on Environmental Quality to report to Congress on the possibility of creating an online portal for permits requiring NEPA review, with a budget of \$500,000 allocated for this purpose.
  - Requiring the North American Electric Reliability Corporation (NERC) to study the total transfer capability between neighboring transmission planning regions and make recommendations to strengthen reliability.
    - The findings of the study would be submitted to the Federal Energy Regulatory Commission (FERC) within 18 months, followed by a public comment period and a subsequent report to Congress by FERC.
  - Authorizing the construction and operation of the proposed Mountain Valley Pipeline, directing the Army to issue permits and verifications within 21 days of enactment.
  
- **Budget Enforcement in the House.** The bill would require the House Budget Committee to provide a statement outlining various allocations and budgetary information. This includes allocations for the House Appropriations Committee for FY 2024, considering discretionary spending limits and any resulting outlays. The statement should also include committee allocations for FY 2024 regarding current mandatory budget authority. For all other House committees, the statement should cover allocations for FY 2024 and FYs 2025 through 2033, focusing on the budgetary effects of any newly enacted laws during that period.
  
- **Budget Enforcement in the Senate.** The bill would require the Senate Budget Committee to provide a statement including allocations for the Senate Appropriations Committee for fiscal year 2024, factoring in the adjusted discretionary spending limits, as well as any resulting outlays and committee allocations for FY 2024 regarding current mandatory budget authority. For all other Senate committees, the statement should cover allocations and aggregate revenue levels for FY 2024, as well as the periods from FY 2024 through 2028 and

FY 2024 through 2033. Additionally, the statement should address the budgetary effects of any recently enacted laws during the period.



# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

5.

**Meeting Date:** 06/12/2023

**Subject:** Elections Related Policy Proposals for the County's State and Federal Legislative Platforms

**Submitted For:** LEGISLATION COMMITTEE,

**Department:** County Administrator

**Referral No.:** 2023-11

**Referral Name:** Elections Policy

**Presenter:** Kristin Connelly, Clerk-Recorder and Registrar of Voters

**Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

The County's Clerk-Recorder and Registrar of Voters, Kristin B. Connelly, has reviewed the County's adopted [2023-24 State and Federal Legislative Platforms](#). The Platforms currently contain only one elections-related policy:

"SUPPORT full state reimbursement for state mandates imposed upon local registrars by the Secretary of State, including special state elections."

At their April 10, 2023 meeting, the Legislation Committee received an overview from Ms. Connelly of the policy areas she recommended for inclusion in the Platforms related to elections funding, physical security, and cybersecurity. The Committee requested that she return with detailed proposals for the May 8 Committee meeting. At their May 8, 2023 meeting, the Legislation Committee received the detailed proposal from Ms. Connelly and requested that the County's state and federal lobbyists review and provide input on the proposals before Committee and Board action.

#### **Referral Update:**

The County's state and federal lobbyists have been provided the "Proposed Changes to the 2023-24 Legislative Platforms" from Kristin Connelly, the County Clerk-Recorder and Registrar of Voters. (Attachment A) They will be present at the Legislation Committee meeting of May 8 (via Zoom) to provide their input directly to the Committee, as requested.

#### **Recommendation(s)/Next Step(s):**

CONSIDER recommending to the Board of Supervisors the adoption of the proposed changes to the County's 2023-24 State and Federal Legislative Platforms, as recommended.

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#### **Attachments**

Attachment A: Clerk-Recorder Legislative Platform Proposals

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Contra Costa County  
Clerk-Recorder-Elections Department

555 Escobar Street  
Martinez, CA 94553

**Administration**  
925-335-7899  
925-335-7893 fax

**Clerk-Recorder**  
925.335.7900  
925.335.7923 fax

**Elections**  
925.335.7800  
925.335.7836 fax

**Outreach**  
925.335.7805  
925.335.7923 fax



**Kristin B. Connelly**  
County Clerk-Recorder  
and Registrar of Voters

**Tommy Gong**  
Deputy County  
Clerk-Recorder

**Elizabeth Gutierrez**  
Assistant County  
Clerk-Recorder

**Helen Nolan**  
Assistant  
County Registrar

**TO:** KEN CARLSON, COMMITTEE CHAIR  
DIANE BURGIS, COMMITTEE VICE CHAIR

**FROM:** KRISTIN B. CONNELLY, COUNTY CLERK-RECORDER AND REGISTRAR OF VOTES

**SUBJECT:** PROPOSED CHANGES TO THE 2023-24 LEGISLATIVE PLATFORM

**DATE:** MAY 3, 2023

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The purpose of this memorandum is to provide proposed additions to the County's Legislative Platforms at the state and federal level that support proper funding for elections, as well as proposals that improve both the physical and cybersecurity of our operations as discussed at the April 10, 2023, Legislative Committee meeting.

These proposals are made considering the challenges facing elections administration nationwide. In a recent survey by the non-partisan, Brennan Center for Justice at NYU Law School, twelve percent of the local election officials who responded to the poll began their service after the 2020 election cycle. Another 11 percent say they are very or somewhat likely to leave before November 2024. In the Elections Division here in Contra Costa we currently have seven vacant positions representing nearly 25% of the authorized FTE.

*An asterisk indicates proposals consistent with components of the NACo legislative platform.*

**SUPPORT a consistent, predictable, and dedicated federal funding stream to assist counties with meeting the significant federal requirements already imposed on local governments administering elections.\***

Federal funding dedicated to election administration should be administered in coordination and in consultation with local governments, including an assurance that a portion of the funding be made available to the discretion of local governments. A consistent federal funding stream would allow counties to prepare for future technology and security updates, recruit, train and retain high-quality individuals that administer elections, as well as to provide continued access to voters that have challenges as required by existing federal laws such as the Voting Rights Act and Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

Additionally, any new federal legislation or regulations on local election administration must be fully funded and should acknowledge the substantial variety of administration techniques deployed in states and counties across the country.

**SUPPORT legislation to assist and fully fund counties in the effective implementation of State-mandated changes in the elections process and administration, including but not limited expanded access to language assistance.**

In the current legislative session, state legislators are considering many bills to change California's Election Code to expand access to California's voters in a variety of ways. Many of these efforts contemplate significant changes, including language access. It is essential that any such changes only happen when the state provides full funding and adequate technical assistance to implement such changes in a timely manner. Specifically, Assembly Bill 884, which is being closely watched by our statewide association, the California Association of Clerks and Elections Officials (CACEO), would require Contra Costa to provide all election materials in an additional ten languages bringing our mandated total to thirteen. All such changes, if enacted, must be accompanied by sufficient technical assistance and funding to implement them in a timely fashion.

**SUPPORT proposals for full State funding to support the accelerated implementation of California's expanded vote-by-mail model which requires us to mail a ballot to every registered voter in Contra Costa County.**

Starting in 2020, state law has required that every voter be mailed a Vote-By-Mail (VBM) ballot that they can return postage free either using the U.S. Postal Service or any of the 37 official, designated drop boxes around the County. This mandate has dramatically shifted voting behavior such that 90-95% of votes cast by Contra Costa residents are VBM ballots that require signature verification. Processing these VBM ballots takes more physical space and additional staffing. Our department has had to rent additional space for ballot extraction which is just one of the myriad additional expenses that has come with this expedited expansion of VBM in California. Supporting proposals to fully fund these additional costs would greatly benefit our operations.

**SUPPORT proposals that would provide full funding for State-mandated requirements related to signature verification and petition efforts, special elections, and redistricting activities.**

Our Voter Services Team effectively and efficiently processes voter registration applications and all petitions for statewide ballot measures. We have no control over the number of statewide petitions that circulate in any given year. Moreover, the decennial redistricting process requires our dedicated GIS staff to work diligently to update precincts across the county in a short amount of time. The delay in the release of the 2020 Census figures during the most recent redistricting process meant an even more compressed timeline than usual. Our office takes great pride in the high-quality work we provide during each step of these important processes, and we would like to see them adequately funded.

**SUPPORT proposals to provide County reimbursement for the costs incurred in conducting special elections to fill vacancies in State and federal offices.**

As a general practice the County cannot rely upon any reimbursement from the State for special elections to fill State and federal offices. Last year, our office conducted a Special Election to fill the 11<sup>th</sup> Assembly District on the heels of the statewide gubernatorial recall. Proposals to guarantee reimbursement for such costs would help us always maintain appropriate staffing levels and smooth operations.

**OPPOSE any legislation that imposes specific and impractical requirements regarding equipment, procedures, and personnel responsibilities for election administration.\***

Like counties across the country, Contra Costa administers elections. Countywide election officials are key stakeholders in any meaningful reform of our election process. Counties have traditionally administered and financed elections in this country because of vast differences in geographic and population sizes, language needs and other local requirements necessitate differences in elections administration. Local and decentralized election administration also assists in elections security.

**OPPOSE any legislation that requires any specific methodologies for post-election audits.\***

Such audits are an integral part of securing our elections and Contra Costa supports efforts to develop and assist counties in implementing best practices, but we oppose unfunded mandates and insufficient deadlines to implement federal election reform.

**SUPPORT policies that value and fund the role and functions of the U.S. Election Assistance Commission (EAC). OPPOSE any legislation that seeks to create further federal certification processes in addition to EAC certification.\***

Election experts recognize the critical role played by the EAC which highlights the importance of rigorous testing of voting equipment and brings together election technology experts and local election officials to develop guidelines and standards that protect our critical infrastructure. Efficiencies and cost savings of voluntary federal certification should be supported.

**SUPPORT policies that facilitate secure elections.\***

Counties believe secure elections are a central component of our nation. State and federal efforts to combat the cybersecurity threats that negatively impact public perception of the integrity of elections. Any legislation should involve county election authorities in addressing these threats and include provisions requiring information sharing between federal, state, and local authorities.

**SUPPORT legislation that increases protections against interfering with the casting of ballots at polling places or by mail, including increasing fines and/or penalties for practices that attempt to impede the voting process or intimidate voters.**

Emerging best practices from around the country call for strong collaboration between election administrators and law enforcement. Ensuring that penalties will be enforced against anyone seeking to interfere with voting is an important pillar of prioritizing safety. Protecting Contra Costans while voting is fundamental to our democracy. Our department constantly seeks

ways to improve the voting experience for our residents. Supporting these proposals makes it clear that we will not tolerate any interference with the right to vote.

**SUPPORT legislation to protect election workers from harassment and to ensure the physical safety of workplaces for election administrators.**

California's legislation to make the home address of election workers confidential was an important step to ensure the safety of election officials. Any proposals that protect election workers from harassment, as well as those that seek to fund safety improvements in the workplace are important next steps to ensure the ongoing safety of our employees. Specifically, we should support harsher penalties for those convicted of harassment and/or interference (e.g. treated as a felony rather than a misdemeanor). We cannot ensure continuous, effective election operations without guaranteeing the safety of every election employee. Our office will continue to seek every possible grant-funded opportunity to support the implementation of every recommendation made recently by CISA to ensure the physical safety of both our office building and our Election Operations Center.

**SUPPORT legislation to allow for the secure and effective use of new technologies available in the field of election administration and to provide adequate funding for both deployment and maintenance of new technologies.**

The Contra Costa Clerk-Recorder-Elections Department benefits from a sophisticated and effective IT staff that collaborates effectively with the County's Department of Information and Technology. Our IT staff has availed us of every possible resource available through the Cyber Infrastructure and Security Agency (CISA) to prevent any cyber-attacks from disrupting our operations. Additionally, our Elections Division looks to be as innovative as possible to provide the best voter experience for Contra Costa's residents. Adequate funding for both the deployment and maintenance of new technologies is fundamental to our ability to continue our success in thwarting potential cyber-attacks.

**SUPPORT proposals that provide elections officials flexibility on the availability of in-person voting locations and the recruitment of poll workers in response to emergency orders.**

Lessons from the COVID-19 pandemic taught us that flexibility is essential to responding to natural and manmade disasters in the future. Maintaining flexibility to respond to emergency voters will benefit Contra Costa voters and will protect our employees as they seek to continue operations uninterrupted in the face of emergencies. Local jurisdictions should be encouraged to partner with our office by providing polling locations including City Halls and other gathering places.





# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

6.

**Meeting Date:** 06/12/2023  
**Subject:** AB 1238 (Ward) Hazardous Waste: Solar Panels--SUPPORT Request  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-13  
**Referral Name:** AB 1238 (Ward)  
**Presenter:** Michael Kent, Hazardous Materials OmbudsmanL      **Contact:** L. DeLaney, (925) 655-2057

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#### Referral History:

At its [May 25, 2023 meeting](#), the County's Hazardous Materials Commission met and considered recommendations from their Planning and Policy committee to request Board of Supervisors' support for specific bills being considered by the State legislature. The Commission voted in support of the recommendation for Board support of [AB 1238 \(Ward\) Hazardous Waste: Solar Panels](#).

#### Referral Update:

### **AB-1238 Hazardous waste: solar panels.** (2023-2024)

**Author:** Christopher Ward (D-078)  
**Title:** Hazardous Waste: Solar Panels  
**Fiscal Committee:** yes  
**Urgency Clause:** no  
**Introduced:** 02/16/2023  
**Last Amend:** 03/21/2023  
**Disposition:** Pending  
**Location:** Senate Environmental Quality Committee  
**Summary:** Requires the Department of Toxic Substances Control to develop alternative management standards for managing photovoltaic modules. Specifies parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules.

**Legislative Counsels' Digest**

AB 1238, as amended, Ward. Hazardous waste: solar panels.

Existing law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime.

This bill would require the department to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require the department to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law. Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

The County's adopted [2023-24 State Legislative Platform](#) contains the following related policies:

- SUPPORT legislation promoting the diversion of recyclables and organics from landfills unless burdensome or impractical for local governments to implement.
- SUPPORT legislation that prioritizes, incentivizes, and innovates hazardous or solid waste reduction and reuse practices of the waste hierarchy over traditional recycling.
- SUPPORT legislation that protects human health and the environment from exposure to hazardous materials
- SUPPORT legislation that provides for less burdensome recovery of Household Hazardous Waste

**2023 CA A 1238: Bill Analysis - 05/19/2023 - Assembly Floor**

ASSEMBLY THIRD READING

AB 1238

(Ward)

As Amended March 21, 2023

Majority vote

SUMMARY

Requires, by January 1, 2026, the Department of Toxic Substances Control (DTSC) to develop alternative management standards (AMS) for the management of photovoltaic (PV) modules (or solar panels), instead of managing the PV modules as hazardous waste.

Major Provisions

COMMENTS

Life expectancy of a solar panel: According to the Solar Energy Industries Association, "[Solar panels] are designed to last more than 25 years, and many manufacturers back their products with performance guarantees backed by warranties. The lifespan of a [solar panel] is approximately 20-30 years, while the lifetime of an inverter is approximately 10 years. Therefore, many solar products have not yet reached end-of-life, and in fact, panels installed in the early 1980s are still performing at levels nearly equal to the installation performance level. Thus, even accounting for the dramatic growth of the industry, annual [solar panel] waste will not exceed 10,000 tons until after 2014, and will not exceed 100,000 tons until after 2017."

Right now, solar panel recycling suffers from a chicken-or-egg problem: there currently are not many places to recycle old solar panels, and there are not enough defunct solar panels to make recycling them economically attractive.

Solar energy is ever-growing: Under California law, the renewable portfolio standard (RPS) requires 50% of all of California's energy to be generated from eligible renewable energy resources, including solar energy, by 2030. Solar power will be an integral part of reaching the RPS requirements for 2030.

End-of-life solar PV recycling: According to the article, published in Energy Strategy Reviews 2020, "An overview of solar photovoltaic panels' end-of-life material recycling":

"End-of-life (EOL) solar panels may become a source of hazardous waste, although there are enormous benefits globally from the growth in solar power generation. Global installed PV capacity reached around 400 gigawatts (GW) at the end of 2017 and is expected to rise further to 4500 GW by 2050. Considering an average panel lifetime of 25 years, the worldwide solar PV waste is anticipated to reach between 4%-14% of total generation capacity by 2030 and rise to over 80% (around 78 million tons) by 2050. Therefore, the disposal of PV panels will become a pertinent environmental issue in the next decades. The EU has pioneered PV electronic waste regulations, including PV-specific collection, recovery and recycling targets. The EU Waste of Electrical and Electronic Equipment Directive requires all producers supplying PV panels to the EU market to finance the costs of collecting and recycling EOL PV panels in Europe. Lessons can be learned from the involvement of the EU in forming its regulatory framework, to assist other countries develop locally apposite approaches.

Solar panels contain lead, cadmium and many other harmful chemicals that could not be removed if the entire panel is cracked. China, with a larger number of solar plants, currently operates around two times as many solar panels as the United States and has no proposals for the dumping of the whole old panels. Despite the presence of environmental awareness, California, another world leader in solar panels, also has no waste disposal plan. CO2 emissions could also be reduced by recycling solar PV waste, which will consequently pose substantial positive impact on the environment. We recommend that recycling should be made commercially necessary by making manufacturers responsible for recovering materials from solar PV panels EOL."

Are solar panels hazardous? End-of-life disposal of solar products in the United States is governed by the federal Resource Recovery and Conservation Act (RCRA), and the state hazardous waste control law (HWCL). Under RCRA, solar panels may be classified as hazardous waste if the solar panel fails to pass the Toxicity Characteristics Leach Procedure (TCLP) test. Many solar panels pass the TCLP test, and thus are classified as non-hazardous and are not regulated as a hazardous waste under RCRA. However, the production of solar panels involves toxic heavy metals, such as cadmium, copper, lead, and selenium; therefore, some solar panels are likely to exhibit the characteristic of toxicity that have adverse environmental and public health effects and could become hazardous waste under the HWCL.

On October 1, 2015, SB 489 (Monning, Chapter 419) authorized DTSC to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and to subject those modules to universal waste management.

Universal waste: Universal wastes are hazardous wastes that are widely produced by households and many different types of businesses. Universal wastes include televisions, computers, other electronic devices, batteries, fluorescent lamps, mercury thermostats, and other mercury containing equipment, among others.

California's hazardous waste regulations identify seven categories of hazardous wastes that can be managed as universal wastes. Any unwanted item that falls within one of these waste streams can be handled, transported, and recycled following the simple requirements set forth in the universal waste regulations versus the more stringent requirements for hazardous waste. The more relaxed requirements for managing universal wastes were adopted to ensure that they are managed safely and are not disposed of in the trash. The universal waste requirements are

also less complex and structured to increase compliance.

Alternative management standards (AMS): California created AMS for treated wood waste (TWW) pursuant to AB 1353 (Matthews), Chapter 597, Statutes of 2004. This bill required DTSC to adopt regulations establishing AMS for TWW, which it did in July 2008. In addition, it authorized the disposal of TWW in either a class I hazardous waste landfill, or in a composite-lined portion of a solid waste landfill unit approved to accept TWW by the appropriate Regional Water Quality Control Board. AB 1353 provided DTSC with the statutory authority to develop, through regulations, AMS for TWW that were based upon hazardous waste requirements, but were adjusted for the unique circumstances associated with TWW. The AMS for TWW lessen storage requirements, extend accumulation periods, allow shipments without a hazardous waste manifest and a hazardous waste hauler, and allow disposal at specific non-hazardous waste landfills. According to DTSC, the AMS simplify and facilitate the safe and economical disposal of TWW.

This bill: AB 1238 follows the same path as TWW and requires DTSC to develop AMS for solar PV modules with the goal of enhancing the ability of entities to safely reuse or recycle solar PV modules in California. This bill is designed to work in tandem with AB 2 (Ward) of the current legislative session, that is moving through the legislative process. AB 2 requires manufacturers of solar PV modules to develop and implement an end-of-life management plan for solar PV modules.

#### According to the Author

"In 2006, California launched the Million Solar Roofs Initiative to incentivize consumers and businesses to invest in solar. As of 2022, California has the largest solar market in the United States, supplying over 20% of its electricity. Unfortunately, given a 20-30 year life span, many of these panels are beginning to reach the end of their lifecycle.

While most panels contain up to 80% easily recyclable materials, restrictive hazardous waste regulations make it prohibitively expensive to do business in the State. As a result, recyclers that serve the California market often set up facilities in neighboring states, where regulations are far less intensive.

AB 1238 will greatly reduce the financial burden linked to the existing hazardous waste regulations, incentivize more panels to be recycled in California, and keep valuable, potentially toxic materials from ending in landfills."

#### Arguments in Support

According to A Voice for Choice Advocacy, "We support this measure to require the DTSC to develop alternate management standards for recycling photovoltaic modules that would reduce the regulatory burden on managing certain resources used for recycling the modules, while not compromising worker safety or environmental protection."

#### Arguments in Opposition

None on file.

#### FISCAL COMMENTS

According to the Assembly Appropriations Committee, enactment of this bill could result in costs to DTSC of approximately \$1.1 million in the first year and ongoing annual costs of approximately \$892,000 for four new positions to develop the AMS for the management of PV modules.

#### VOTES

ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 9-0-0

YES: Lee, Hoover, Arambula, Bauer-Kahan, Connolly, McKinnor, Pacheco, Ta, Zbur

ASM APPROPRIATIONS: 15-0-1

YES: Holden, Megan Dahle, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Hart, Lowenthal, Mathis, Papan, Pellerin, Sanchez, Weber, Ortega

ABS, ABST OR NV: Robert Rivas

UPDATED

VERSION: March 21, 2023

CONSULTANT: Josh Tooker / E.S. & T.M. / (916) 319-3965 FN: 0000461

**Recommendation(s)/Next Step(s):**

CONSIDER finding AB 1238 (Ward) Hazardous Waste: Solar Panels consistent with the County's adopted 2023-24 State Legislative Platform or CONSIDER recommending a position of "Support" for AB 1238 to the Board of Supervisors on their consent agenda.

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**Attachments**

*No file(s) attached.*

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

7.

**Meeting Date:** 06/12/2023  
**Subject:** AB 50 (Wood) Public Utilities: Timely Service: Customer Energization and SB 410 (Becker) Powering Up Californians Act--SUPPORT  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-14  
**Referral Name:** AB 50 and SB 410  
**Presenter:** L. DeLaney                      **Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

At its June 7, 2023 meeting, the Bay Area Air Quality Management District's Legislative Committee, on which Legislation Committee Chair Carlson serves, voted to support [Assembly Bill 50 \(Wood\) - Public utilities: timely service: customer energization](#) and [Senate Bill 410 \(Becker\) - Powering Up Californians Act](#). Chair Carlson referred these bills to the County's Legislation Committee for consideration.

The County's adopted 2023-24 State Legislative Platform contains some related policy. The Legislation Committee may consider finding these bills consistent with the Board's adopted Platform or recommend a position of "Support" on the bills to the Board of Supervisors.

Related Platform Policies:

#### **Climate Change**

SUPPORT funding and policy to implement the following:

- Technologies that support the County's climate goals, including battery energy storage and microgrids, solar and wind energy, electric vehicles, and electric vehicle infrastructure;
- Energy efficiency programs that encourage whole house retrofits and address asthma triggers in the built environment;
- Planning work for adapting to rising sea levels;
- Planning and implementation of microgrids;
- Active transportation and green infrastructure programs;
- Job training for careers in clean energy, clean transportation, and green infrastructure.

SUPPORT continuing development of local renewable energy resources and supply, including protection of local autonomy to administer energy efficiency programs and install and utilize integrated distributed energy resources, and SUPPORT effective leveraging of energy efficiency programs tailored to address local needs and concerns.

#### **Referral Update:**

Both AB 50 and SB 410 have moved through their respective bodies and may be reconciled together, as they continue. Both bills deal with utility companies providing timelines to energizing projects, addressing new service and service upgrades in a more timely manner, which could be beneficial for housing and other development. The bill text is available through the links, and bill status, as well as the the floor analyses of the bills are provided below.

[AB 50](#)

**Author:** Jim Wood (D-002)  
**Coauthor** Patterson (R), McGuire (D), Aguiar-Curry (D), Berman (D), Dodd (D), Wiener (D), Rivas R (D), Connolly (D)  
**Title:** Public Utilities: Timely Service: Customer Energization  
**Fiscal Committee:** yes  
**Urgency Clause:** no  
**Introduced:** 12/05/2022  
**Last Amend:** 05/18/2023  
**Disposition:** Pending  
**Location:** Senate Energy, Utilities and Communications Committee  
**Summary:** Requires a public utility to furnish and maintain timely service, instrumentalities, equipment, and facilities. Requires the Public Utilities Commission, on or before specified date, to determine the criteria for timely service for electric customers, including, among other things, reasonable average energization time periods for categories of timely service.  
**Status:** 06/07/2023 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS

**2023 CA A 50: Bill Analysis - 05/24/2023 - Assembly Floor**

ASSEMBLY THIRD READING

AB 50

(Wood)

As Amended May 18, 2023

Majority vote

SUMMARY

Establishes interim timelines for large electrical corporations to provide customer energization following a written commitment to serve by the utility. Requires the California Public Utilities Commission (CPUC) to determine criteria for timely service for electric customers by January 1, 2025 that may replace or revise the interim timelines.

Major Provisions

- 1) Establishes the following criteria and interim timelines, until the CPUC determines the criteria described above:
  - a) For customers seeking a new connection, each large electrical corporation shall take all practical measures to deliver electric service within 90 days of issuing a written commitment to serve.
  - b) For customers seeking upgrades to an existing connection, each large electrical corporation shall take all practical measures to deliver electric service within 30 days of issuing a written commitment to serve.
  - c) Each large electrical corporation shall respond to the customer in writing within 30 days of receipt of a request for

service.

d) A written response to a request for service shall state whether the large electrical corporation will deliver service.

e) A written response to a request for service shall state the anticipated date on which new or upgraded service will be completed and circumstances that may lead to a delay.

2) Requires each large electrical corporation to (a) evaluate and update, as necessary, its existing distribution planning processes to ensure the projected demand for a given planning cycle closely matches the actual demand for new or additional service; (b) have biannual meetings with the relevant county staff for each interested county in its service territory; (c) share information with local governments, the CPUC and the Energy Commission regarding areas of existing and potential electrical capacity.

3) Directs the CPUC to annually collect information from each large electrical corporation on service connection and upgrade requests and the electrical corporation's record in meeting established service timelines.

## COMMENTS

Broadly put, energization refers to when customer load, such as a house or other building, is connected to the electrical grid and begins to receive electrical service from it. Energization is always important to the utility customer awaiting electric service. Recently, backlogs for utilities to fulfill requests for energization have grown, especially--though not only--in the service territory of Pacific Gas and Electric (PG&E).

The utilities and CPUC have responded. PG&E has formed a technical committee to work on the interconnection process. In December of last year, the electrical utilities proposed an interim 125-business-day average timeline for energization, but only for the subset of projects enabling energization of electric vehicle infrastructure.

The author, like many others, is frustrated with the time it takes projects to become energized. This bill directs the CPUC to establish criteria governing timely energization service. In the meantime, the bill establishes interim energization service requirements. It requires the electrical utilities to collaborate with local stakeholders and the CPUC. And it requires the electrical utilities to report related time-of-service data to the CPUC.

### According to the Author

According to the author, "Severe electric interconnectivity delays have become the everyday reality of utility customers in California. In just one county located in my district, over 30 customers were told they would have to wait over 10 years for their lights to be turned on. This is unacceptable and alarming here in California, where we have set some of the most ambitious climate goals in the world. Currently, families and business-owners are being asked pay significant planning fees - up to hundreds of thousands of dollars - upon receiving "Will Serve" letters provided by utilities. As it turns out, "Will Serve" really means "Will Serve Eventually." As we strive to advance housing development, expand business, and meet our climate change goals, we have to get serious about the realities of electrification."

### Arguments in Support

This bill is supported by a coalition of local governments, pro-housing organizations, community choice aggregators and ratepayer advocates who write that electric service delays are becoming a persistent issues, impacting many aspects of the economy with specific focus of concern on the housing sector. They note support for this bill due to it promoting transparency and accountability in the energization process.

### Arguments in Opposition

This bill is opposed by the three large investor-owned utilities (IOUs)--Pacific Gas & Electric, Southern California Edison, and San Diego Gas & Electric--as well as utility worker unions. The large IOUs raise concern with the interim timelines in the bill, citing them as "unrealistic," and that the bill "fails to consider that each project is unique." The utility employees and electrical workers raise concern about worker safety due to the bill "imposing arbitrary timeframes on all projects regardless of size or complexity." Both the joint IOU and utility worker opposition was filed to a previous version of the bill; it is unknown whether their position has changed given amendments taken out of the Utilities and Energy Committee in May.

## FISCAL COMMENTS



According to the Assembly Committee on Appropriations, the CPUC estimates the cost to implement this bill to be about \$1 million annually for an administrative law judge, two utilities engineers and two regulatory analysts (Public Utilities Reimbursement Account).

## VOTES

ASM UTILITIES AND ENERGY: 11-2-2

YES: Garcia, Bauer-Kahan, Calderon, Wendy Carrillo, Connolly, Muratsuchi, Reyes, Santiago, Schiavo, Ting, Wallis

NO: Chen, Mathis

ABS, ABST OR NV: Jim Patterson, Holden

ASM APPROPRIATIONS: 11-2-3

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Weber, Ortega

NO: Dixon, Sanchez

ABS, ABST OR NV: Megan Dahle, Mathis, Robert Rivas

UPDATED

VERSION: May 18, 2023

CONSULTANT: Laura Shybut / U. & E. / (916) 319-2083 FN: 0000879

## SB 410

**Author:** [Josh Becker \(D-013\)](#)

**Title:** Powering Up Californians Act

**Fiscal Committee:** yes

**Urgency Clause:** no

**Introduced:** 02/09/2023

**Last Amend:** 05/18/2023

**Disposition:** Pending

**Committee:** Assembly Utilities and Energy Committee

**Hearing:** 06/28/2023 1:30 pm, State Capitol, Room 437

**Summary:** Provides for the Powering Up Californians Act. Requires an electrical corporation to consider, in its annual distribution planning process, certain standards, plans, regulations, policies, and requirements.

**Status:** 06/01/2023 To ASSEMBLY Committee on UTILITIES AND ENERGY.

**2023 CA S 410: Bill Analysis - 05/23/2023 - Senate Floor**

SENATE RULES COMMITTEE SB 410 Office of Senate Floor Analyses (916) 651-1520 Fax: (916) 327-4478

THIRD READING

Bill No: SB 410

Author: Becker (D)

Amended: 5/18/23

Vote: 21

SENATE ENERGY, U. & C. COMMITTEE: 17-0, 4/18/23

AYES: Bradford, Dahle, Ashby, Becker, Caballero, Dodd, Durazo, Eggman, Gonzalez, Grove, McGuire, Min, Newman, Rubio, Seyarto, Skinner, Wilk

NO VOTE RECORDED: Stern

SENATE APPROPRIATIONS COMMITTEE: 5-0, 5/18/23

AYES: Portantino, Ashby, Bradford, Wahab, Wiener

NO VOTE RECORDED: Jones, Seyarto

SUBJECT: Powering Up Californians Act

SOURCE: Coalition of California Utility Employees

DIGEST:

This bill requires the California Public Utilities Commission (CPUC) to establish by September 30, 2024, reasonable average and maximum target energization time periods in order to connect new customers and upgrade the service of existing customers to the electrical grid. This bill also requires reporting by electrical corporations and authorizes specified annual cost-recovery, subject to a cap.

ANALYSIS:

Existing law:

- 1) Establishes and vests the CPUC with regulatory authority over public utilities, including electrical corporations. (California Constitution Article XII)
- 2) Requires the State Energy Resources Conservation and Development Commission (California Energy Commission (CEC)), in collaboration with the California Air Resources Board, the CPUC, and other relevant stakeholders, to annually gather from state agencies, as provided, specified entities' fleet data for on-road and off-road vehicles in the medium- and heavy-duty sectors and share that data with electrical corporations to help inform electrical grid planning efforts, as specified. (Public Resources Code Section 25328)
- 3) Requires electrical corporations, as part of their distribution planning processes, to consider that produced fleet data, and other available data, to facilitate the readiness of their distribution systems to support the state's anticipated level of electric vehicle (EV) charging, as specified. (Public Utilities Code Section 740.21)
- 4) Requires an electrical corporation to permit any new or existing customer who applies for an extension of service from that electrical corporation to install an electric extension in accordance with the regulations of the CPUC and any applicable specifications of that electrical corporation. (Public Utilities Code Section 783)
- 5) Establishes guidelines for the design, cost allocation, and responsibilities of a project applicant and a utility for electric distribution line extensions necessary to furnish permanent electric service. (Electric Tariff Rule 15)

6) Establishes guidelines for the design, cost allocation, and responsibilities of a project applicant and a utility for the extension of electric service from an investor-owned utility (IOU) distribution line. (Electric Tariff Rule 16)

This bill:

- 1) Establishes the Powering Up Californians Act, which requires the CPUC to establish maximum target energization time periods to energize new customers and upgrade the service of existing customers and certain reporting requirements so that utility performance can be tracked and improved.
- 2) Requires the CPUC to require an electrical corporation to take any remedial actions necessary to achieve the CPUC's targets and requires all electrical corporations' reports to be publicly available.
- 3) Requires, as part of each report and in each general rate case application, each electrical corporation to include a detailed analysis of its current qualified staffing level and future required qualified staffing level for each job classification, as specified, among other requirements related to staffing and apprentice training.
- 4) Requires each electrical corporation to consider in its annual distribution planning process, federal/state/local standards, plans, and regulations.
- 5) Requires the CPUC to ensure that electrical corporations have sufficient and timely recovery of costs, including authorizing the use of a mechanism to establish an account in order to track costs for energization projects that exceed those included in the electrical corporation's annual authorized revenue requirement for energization.
- 6) Requires the CPUC to establish an annual cap on the amount that each electrical corporation can recover within the account. Provides that the CPUC may authorize annual recovery of costs in the account through an annual rate adjustment if the costs are just and reasonable.

### Background

Connecting to the electric distribution grid. Rules governing the ability of new buildings and generation and storage resources to connect to the electric distribution grid are generally determined by statute, CPUC rules, and tariffs, (i.e., document that specify rates, charges, rules, and conditions under which an electrical corporation will provide services to the public) for each of the electrical corporations. These service connections include:

New service connections refers to extending an electricity line or expanding distribution infrastructure to service new or expanded customer load, known as "energization."

Electric Tariff Rules 15 and 16 establish the guidelines for design, cost allocation, and responsibilities of a project applicant and a utility for electric distribution line extensions. The ability to connect to the larger electrical system can take months (if not, years, in some cases) as the process can entail the need for designs, assessments on costs allocations associated with improvements on the electric distribution system to allow for the connection, and other issues. In the case of new building developments, depending on the size of the development, the need for electric service extensions may be needed in phases over months, or years.

Growing backlog of utility energization projects. The demands for new service connections and/or upgrades to existing distribution lines have been increasing, especially as California advances policies to deploy more EVs, shift natural gas usages to electricity in buildings, and increase housing supply, including affordable housing. These projects all rely on access to the electric grid and, often require upgrades to the electric distribution system. Additionally, the COVID-19 pandemic has created supply shortages and challenges affecting many sectors of the economy, including supply shortages for electrical equipment needed to connect new customers or expand energy load, such as transformers. Delays and challenges have been especially acute within the Pacific Gas & Electric (PG&E) service territory as the backlog for energization projects has grown substantially and delays have increased. The utility has acknowledged the growing backlog of identified capacity work that has delayed - sometimes by years - the in-service dates for new business customers. PG&E has shared that it is attempting to better manage their queue for projects. The utility recently formed a monthly Technical Committee work group with representatives from their labor partners, California Building Industry Association, and regional building association staff and members to work on all technical and field issues. These monthly meetings are used to provide updates on the actions underway to improve the new service connection process, the impacts of those actions and next steps. Additionally, these meetings are used to collaborate and collect feedback on the improvement efforts and to address emerging areas of concern or interest. Nonetheless, the backlog is a growing frustration for the project developers, customers, local governments, and others waiting to have their projects energized.

CPUC adopts resolution to address energization timing. In response to a proposal from the electric IOUs, the CPUC issued Resolution E-5247 in December 2022, which establishes an interim 125-business day average service energization timeline for projects taking service under the EV Infrastructure Rules. This timeline excludes projects that must go through Rule 15 for distribution upgrades, projects above two megawatts, and projects that require upgrades to a substation. The resolution directs the IOUs to collect one year of EV Infrastructure Rule implementation data to inform an updated proposal for a permanent service energization timeline.

### Comments

Need for legislation. New service connections and upgrades to the distribution system are generally a routine and core electric utility function. Unfortunately, the growing backlog of projects, especially in PG&E service territory, has led to frustrated customers, including affordable housing developers, local governments, and many others. These frustrations have sparked the desire for legislation to address the problem. As the process to energize projects entails many factors and stakeholders, it can be challenging to pinpoint the areas of delay and reasonable timelines for projects whose timing can be affected by many variables, including those outside the control of the utility. The extensive backlog of capacity projects at the state's largest electric utility may be unique to their service territory, the management of their project queue, and unique issues to their system. However, other utilities could begin to suffer backlogs with the growing demands for: EV charging infrastructure, increased electrification of buildings, and the need for more housing, especially affordable housing, and other demands on the electric distribution system.

Need for certainty - including average reasonable and targets for maximum time periods. This bill requires, by September 30, 2024, the CPUC to establish targets for reasonable average and maximum target energization time periods in order to provide customers with more certainty about the expected time period to connect to the electrical grid. By requiring the time periods and related reporting by the electric IOUs, the bill attempts to provide more accountability of the pace of these projects in the hopes of preventing future delays and backlogs.

Workforce requirements. This bill includes language regarding workforce elements, including requiring adequate qualified staffing and apprentices in the pipeline. The sponsor of this bill notes the language regarding maintaining apprenticeship pipeline that supports safe staffing ratios is reflected in recent PG&E General Rate Case settlements approved by the CPUC. By including similar language in this bill, the sponsors aim to require this provision of the other electric IOUs.

Costs to ratepayers. This bill authorizes electric IOUs to recover costs for energization projects that exceed the approved revenue requirement on an annual basis. This bill attempts to limit impacts on electric ratepayers by subject these costs to CPUC review for just and reasonableness and an annual cap on the amount that may be recovered. Nonetheless, these cost could result in increasing rates to electric ratepayers.

Inclusion of bidirectional charging? This bill mentions bidirectional charging for light-, medium-, and heavy-duty vehicles and off-road vehicles, vessels, trains, and equipment as among the projects that should be promptly connected to the electrical grid. Bidirectional charging is a process by which an EV can receive energy (charge) and provide energy to an external load (discharge), thereby moving in two directions. However, specialized chargers (and likely software) and hardware are needed for the vehicle, the charging equipment, and likely require upgrades to the electrical grid. Currently, one utility is deploying three pilots and several utilities in California have signed a memorandum of understanding with the U.S. Department of Energy to explore bidirectional charging research and opportunities. In essence, much of this exploration is still nascent and may not merit the same urgency and attention as affordable housing developments, hospitals, and businesses that are awaiting energization.

### Related/Prior Legislation

AB 2700 (McCarty, Chapter 354, Statutes of 2022) required the CEC to gather and report fleet data needed to support utilities' plans for grid reliability and enhanced vehicle electrification. The bill also required utilities to report how distribution investments made pursuant to the bill support climate goals as part of specified filings with the CEC and CPUC.

AB 1026 (Wood, Chapter 446, Statutes of 2019) required an electrical or gas corporation to apply only those construction and design specifications, standards, terms, and conditions that are applicable to a new extension of service project for the 18 months following the date the application for a new extension of service project is approved. Authorized an electrical or gas corporation to adopt modifications, as specified, of the construction and design specifications, standards, terms, and conditions of a new extension of service project.

AB 2861 (Ting, Chapter 672, Statutes of 2016) authorized the CPUC to establish an expedited dispute resolution process for generating facility interconnection disputes.

SB 48 (Vuich, Chapter 1229, Statutes of 1983) established rules governing the extension of service by gas and electrical corporations to new residential, commercial, agricultural, and industrial customers.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

\* Unknown ongoing costs (ratepayer funds) for the CPUC to evaluate and propose processes and open a rulemaking, among other things.

\* The California Air Resources Board (ARB) anticipates any costs would be minor and absorbable.

\* Unknown but likely minor and absorbable costs for the CEC to implement the provisions of this bill.

\* Unknown ongoing costs (various funds) to the state as an electric utility ratepayer. The State of California is an electrical customer, purchasing roughly one percent of the state's electricity. As such, the state incurs costs when electricity rates increase. To the extent this bill results in higher electricity rates than what otherwise would occur, it could result in increased state costs due to more costly electricity purchases by various state entities.

SUPPORT: (Verified 5/18/23)

Coalition of California Utility Employees (source)

California State Association of Electrical Workers

City of San Jose

E2

Elders Climate Action, NorCal Chapter

Elders Climate Action, SoCal Chapter

Natural Resources Defense Council

Pioneer Community Energy

Rural County Representatives of California

Silicon Valley Clean Energy

Sonoma Clean Power

One individual

OPPOSITION: (Verified 5/18/23)

None received

ARGUMENTS IN SUPPORT: According to the author:

To ensure that the electricity distribution energy lines can hold sufficient energy to power all the buildings in our neighborhoods, utilities and localities monitor the capacity on existing lines to keep the grid stable. To connect a new appliance or provide an electrical upgrade to a building on the electricity distribution grid -- colloquially known as an 'interconnection' -- sometimes requires an electrical corporation, like PG&E, to upgrade the capacity of a distribution line or local substation capacity. These interconnection evaluations and upgrades are necessary for many new resources on the electricity grid, including solar panel installations, EV chargers, and home electric appliance installation, but also for the addition of new housing or building developments. As more homes and

businesses are built, as they switch over to climate-friendly electric appliances, and as they install EV chargers or rooftop solar, the upgrades needed to the electricity distribution system continue -- and will continue -- to grow. In the long run, planning for this increased electricity grid capacity will require planning and cost foresight from electrical utilities, in partnership with the PUC, to meet the SB 100 (de Leon, 2018) energy transition goals. However, recent complaints from customers around California indicate unreasonable response times to interconnect new resources or upgrade. For example, delays for connecting electric vehicle fast chargers were around 70 weeks in PG&E territory in 2022. The slow connection of critical climate appliances and resources could inhibit California's targets to decarbonize buildings and clean the grid. This legislation requires the PUC to improve existing delays in interconnections, as well as plan for future ones. SB 410 requires the Public Utilities Commission (PUC) to decrease the time in which electrical utilities connect and upgrade customers to electricity service. To ensure shorter target interconnection times, SB 410 requires the PUC to set a target timeline for utilities to connect different types of resources, convene a working group, report necessary data, and encourage workforce development considerations to meet that timeline.

Prepared by: Nidia Bautista / E., U. & C. / (916) 651-4107

**Recommendation(s)/Next Step(s):**

CONSIDER finding AB 50 (Wood) Public Utilities: Timely Service: Customer Energization and SB 410 (Becker) Powering Up Californian Act consistent with the County's adopted 2023-24 State Legislative Platform or CONSIDER recommending a position of "Support" for AB 50 and SB 410 to the Board of Supervisors on their consent agenda.

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**Attachments**

*No file(s) attached.*

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

8.

**Meeting Date:** 06/12/2023  
**Subject:** Redistricting Related Bills  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-15  
**Referral Name:** Redistricting Bills 2023  
**Presenter:** Geoff Neill, Nielsen Merskamer **Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

Two bills related to the process of local redistricting and crafted by the same author, Assembly Member Isaac G. Bryan (D-055), are moving through the legislature at this time: AB 764 Local Redistricting and AB 1248 Local Redistricting; Independent Commissions. Redistricting is the process by which the boundaries of districts of a governmental body are adjusted. Redistricting generally occurs at the beginning of each decade following the decennial federal census, when new district lines are adopted based on the census data so that the populations of each district of a governmental body are roughly equal.

The County's state lobbyists from Nielsen Merksamer have requested Legislation Committee input on these two bills. The California State Association of Counties (CSAC) has taken an "Oppose Unless Amended" position on both bills.

#### **Referral Update:**

[AB 764 \(Bryan\) Local redistricting](#) would require counties and other local governments to comply with uniform requirements related to redistricting. This bill would require local governments to adopt district boundaries, using specified criteria, following the decision to establish district-based elections and following each federal decennial census. CSAC and other county advocates are [opposed to AB 764 unless amended](#) to ameliorate the burdensome reporting requirements that make compliance a challenge, mitigate the additional requirements for public hearings that are costly and impractical, and remove a costly private right to action that would create significant uncertainty and costs.

**Author:** Isaac G. Bryan (D-055)  
**Coauthor:** Cervantes (D)  
**Title:** Local Redistricting  
**Fiscal Committee:** yes  
**Urgency Clause:** no  
**Introduced:** 02/13/2023  
**Last Amend:** 05/18/2023  
**Disposition:** Pending  
**Location:** Senate Elections and Constitutional Amendments Committee

**Summary:** Requires counties, county boards of education, cities, school districts, community college districts, and special districts, if the governing body of these local governments is elected by districts, to comply with uniform requirements related to redistricting. Requires local governments to adopt district boundaries, using specified criteria, following the decision to establish district-based elections and following each federal decennial census.

**Status:** 06/07/2023 To SENATE Committees on ELECTIONS AND CONSTITUTIONAL AMENDMENTS and GOVERNANCE AND FINANCE.

### **2023 CA A 764: Bill Analysis - 05/24/2023 - Assembly Floor**

ASSEMBLY THIRD READING

AB 764

(Bryan and Cervantes)

As Amended May 18, 2023

Majority vote

#### SUMMARY

Makes special districts, school districts, community college districts, and county boards of education subject to similar criteria and process requirements that apply to counties and cities that are adjusting the boundaries of the districts used to elect members of their governing bodies. Increases the public hearing and outreach requirements that apply to all local jurisdictions as part of the process for adopting or adjusting boundaries. Establishes a procedure for legal challenges when a local jurisdiction does not comply with the requirements of state law related to redistricting.

#### Major Provisions

- 1) Standardizes the criteria to be used for drawing districts in local jurisdictions by requiring a special district, school district, community college district, or county board of education to use the same criteria, generally, that a county is required to use under existing law when adopting or adjusting the boundaries of districts. Requires an advisory or hybrid redistricting commission to comply with these criteria for any districts it proposes. Updates those criteria as they apply to all local jurisdictions, including counties and cities, when adopting district boundaries.
- 2) Increases public workshop, hearing, and outreach requirements required as part of the redistricting process and applies these requirements to all local jurisdictions.
- 3) Requires, except in the case of special districts and small educational districts, that a local jurisdiction or the districting body for that jurisdiction adopt a redistricting public education and outreach plan, as specified.
- 4) Requires a local jurisdiction to establish a redistricting web page, containing specified information about the jurisdiction's redistricting process, prior to holding its first workshop or public hearing.
- 5) Requires the Secretary of State (SOS) to develop templates related to the redistricting process that can be used by local jurisdictions to meet their obligations under this bill and existing law. Requires the SOS to create, upon appropriation, a public, free electronic mapping tool with relevant population and demographic data.
- 6) Permits any interested person to bring a legal action to enforce the provisions of state law related to local redistricting, as specified. Permits an action alleging that an adopted district map does not comply with the criteria and requirements of law to be brought at any time prior to an election that will be conducted using those district



boundaries. Provides a notice-and-cure process before a legal action can be brought alleging a past violation of the law related to the redistricting process.

## COMMENTS

"Redistricting" is the process by which the boundaries of districts of a governmental body are adjusted. Redistricting generally occurs at the beginning of each decade following the decennial federal census, when new district lines are adopted based on the census data so that the populations of each district of a governmental body are roughly equal.

AB 849 (Bonta), Chapter 557, Statutes of 2019, also known as the Fair Maps Act (FMA), revised and standardized the criteria and process to be used by counties and cities when they adjust the boundaries of the electoral districts that are used to elect members of the jurisdictions' governing bodies, and required counties and cities to comply with substantial public hearing and outreach requirements as part of the process for adjusting the boundaries of electoral districts. Prior to the enactment of AB 849, the rules that govern the local redistricting process generally had not been changed in decades.

The FMA was in effect for the first time for the redistricting process that followed the 2020 census. Following that redistricting process, the organizations that are co-sponsoring this bill and related organizations commissioned a report to evaluate the impact of the FMA and other changes to redistricting policies on the local redistricting process. The report, *The Promise of Fair Maps, California's 2020 Local Redistricting Cycle: Lessons Learned and Future Reforms*, concluded that "the FMA was broadly successful in promoting a more transparent and more participatory local redistricting process," and that "[t]o a lesser extent, it was successful in producing maps that better reflect the diverse communities residing in cities and counties across the state."

On the other hand, the report also concluded that "the 2020 local redistricting cycle... revealed that improvements to the FMA are necessary to address ambiguities, loopholes, and deficiencies in the legislation that undermined the law's important goals, and were often exploited to protect incumbents." In particular, the report concluded that notwithstanding the ranked, mandatory redistricting criteria that was included in the FMA, "in many jurisdictions incumbency protection proved to be the overriding criterion for how maps were drawn."

Please see the policy committee analysis for a full discussion of this bill.

### According to the Author

"Four years ago, the Legislature enacted the [FMA], the most comprehensive reform of local redistricting laws in decades. The result was a more transparent and participatory local redistricting process in 2021 and 2022. Public and community group participation in the local redistricting process exceeded that from prior cycles. Despite significant challenges due to the pandemic, most local jurisdictions complied with - and even surpassed - the requirements of the FMA. Notwithstanding the FMA's improvements to the local redistricting process, the last redistricting cycle showed that there is still work to be done. Too many local jurisdictions continue to prioritize incumbency protection when drawing district lines, splintering neighborhoods and communities of interest as a result. Furthermore, the FMA's reforms did not apply to educational or special districts, resulting in a less transparent and participatory redistricting process in many of those local jurisdictions."

### Arguments in Support

The co-sponsors of this bill, ACLU California Action, Asian Americans Advancing Justice-Asian Law Caucus, California Common Cause, and the League of Women Voters of California, wrote in support of a prior version of this bill, "FMA reforms brought notable improvements to local redistricting processes in 2020, but community members, community-based organizations, and good government groups still witnessed major problems...AB 764 addresses the problems observed during the 2020 redistricting cycle by closing important loopholes and deficiencies in the FMA...AB 764 would expressly prohibit incumbency protection in the redistricting process, provide examples to clarify the definition of 'communities of interest,' and require that jurisdictions do their due diligence to ensure their compliance with the federal Voting Rights Act...AB 764 would apply the FMA's fair and standardized redistricting criteria, as well as other key provisions, to all special districts and to educational districts

based on jurisdiction size."

### Arguments in Opposition

The California State Association of Counties, Rural County Representatives of California, and Urban Counties of California all have an "oppose unless amended" position on this bill. In a joint letter of opposition to a prior version of this bill, the organizations wrote, "AB 764 contains a number of new reporting requirements for counties that will require significant professional assistance to ensure compliance. New requirements to publish federal Voting Rights Act analyses, a report outlining compliance with new district boundary criteria, new redistricting public education and outreach plans with specific components and a public review period...and detailed analyses of each draft map 'that a member of the districting body asks be discussed or considered,' as proposed in AB 764, will be costly, time-consuming, and in all likelihood simply not feasible with existing county staff...AB 764 increases the number of public workshops and hearings for all counties and, in some instances, increases them dramatically... Public hearings and workshops require considerable time and effort to plan and execute; such a marked increase in public meetings again makes compliance a challenge...Counties have strong concerns about the special private right of action contained in AB 764 for any ongoing violation or prevention of a future violation or a threat of violation of the provisions of the Act."

### FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) By requiring local agencies to hold more hearings and provide more information as part of the redistricting process, this bill creates a state-mandated local program. If the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, local agencies could claim reimbursement from the state (General Fund (GF)). The magnitude of these costs is unknown, but definitely significant. Additionally, local agencies may incur non-reimbursable costs to the extent they are subject to additional litigation as a result of the cause of action created by this bill.
- 2) One-time GF costs of approximately \$519,000 to the SOS to develop and translate webpage templates and provide training to local jurisdictions. Additionally, GF cost pressures to develop, upon appropriation, the electronic mapping tool. The SOS estimates needing approximately \$139,000 to develop and manage the mapping tool.
- 3) Cost pressures (GF or Trial Court Trust Fund (TCTF)) of an unknown amount to the courts in additional workload. This bill increases the number of local jurisdictions that must petition the court to adopt district boundaries after a specified deadline and authorizes a cause of action for violation of expanded local redistricting laws. It is unclear how many petitions or actions may be filed statewide, but the estimated workload cost of one hour of court time is \$1,000. If 10 cases are filed statewide resulting in 20 hours of court time for each case, costs would be approximately \$200,000. Although courts are not funded on the basis of workload, elections-related cases are given precedence on the court calendar and increased pressure on staff and the TCTF may create a need for increased court funding from the GF to perform existing duties. The Governor's 2023-24 state budget already proposes \$109.3 million in ongoing GF revenue to continue backfilling the TCTF for expected revenue declines.

### VOTES

ASM ELECTIONS: 5-1-2

YES: Bryan, Bennett, Lee, Pellerin, Blanca Rubio

NO: Lackey

ABS, ABST OR NV: Essayli, Low

ASM LOCAL GOVERNMENT: 6-2-0

YES: Aguiar-Curry, Boerner, Pacheco, Ramos, Robert Rivas, Wilson

NO: Dixon, Waldron

ASM APPROPRIATIONS: 11-4-1

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Weber, Ortega

NO: Megan Dahle, Dixon, Mathis, Sanchez

ABS, ABST OR NV: Robert Rivas

UPDATED

VERSION: May 18, 2023

CONSULTANT: Ethan Jones / ELECTIONS / (916) 319-2094 FN: 0000742

[AB 1248 \(Bryan\) Local redistricting: independent redistricting commissions](#) would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process. CSAC and other county advocates are [opposed to AB 1248 unless amended](#) to ensure that counties are fully reimbursed for costs and to incorporate more robust statutory and technical assistance provisions to ensure that local agencies are able to effectively deliver on the promise of independent redistricting.

**Author:** Isaac G. Bryan (D-055)

**Coauthor:** Muratsuchi (D), Arambula (D), Berman (D), Newman (D), Bennett (D), Bonta M (D), Jackson (D), Lowenthal (D), Pellerin (D), Menjivar (D), Allen (D)

**Title:** Local Redistricting: Independent Commissions

**Fiscal Committee:** yes

**Urgency Clause:** no

**Introduced:** 02/16/2023

**Last Amend:** 05/18/2023

**Disposition:** Pending

**Location:** Senate Elections and Constitutional Amendments Committee

**Summary:** Requires a county, general law city, charter city, or charter city and county that contains over a specified number of residents, and a school district or community college district that contains over a specified number of residents, to establish an independent redistricting commission to adopt district boundaries after each federal decennial census.

**Status:** 06/07/2023 To SENATE Committees on ELECTIONS AND CONSTITUTIONAL AMENDMENTS and GOVERNANCE AND FINANCE

## 2023 CA A 1248: Bill Analysis - 05/24/2023 - Assembly Floor

### ASSEMBLY THIRD READING

AB 1248

(Bryan)

As Amended May 18, 2023

Majority vote

### SUMMARY

Requires a county or city with more than 300,000 residents, or a school district or community college district with more than 500,000 residents, to establish an independent redistricting commission (IRC) to adopt district boundaries after each federal decennial census.

### Major Provisions

- 1) Requires a county, city, or city and county with more than 300,000 residents, or a school district or community college district with more than 500,000 residents, on July 1 of a year ending in the number nine, to establish an IRC composed of residents of the local jurisdiction to adopt the district boundaries for the jurisdiction's governing body after each federal decennial census. Allows a city, school district, or community college district to contract with the IRC for a county in which the local jurisdiction is partially or wholly located to adopt the district boundaries for the local jurisdiction's governing body. Provides that these requirements do not apply to counties that have an IRC pursuant to other provisions of existing state law, or to a local jurisdiction that established an IRC before January 1, 2023.
- 2) Requires a county, city, city and county, school district, or community college district that is required to establish an IRC by this bill, and that does not do so by March 1 of a year ending in the number zero, to establish an IRC using a specified selection process.
- 3) Requires the State Auditor to provide the contact information of any applicant to serve as a commissioner on the California Citizens Redistricting Commission (CCRC) to any city or county that has established an independent or hybrid redistricting commission, and to make a good faith effort to identify all independent and hybrid redistricting commissions in the state. Requires the Auditor to notify CCRC applicants of opportunities to serve on redistricting commissions in counties or cities where the applicant is a resident, as specified, and encourages the Auditor to notify CCRC applicants about opportunities to serve on local redistricting commissions for other jurisdictions.
- 4) Requires the Department of Finance (DOF) to prepare a population estimate for each school district and community college district by May 1 in each year ending in the number nine. Requires population estimates prepared by the DOF to be used to determine whether a local jurisdiction must establish an IRC under this bill.

### COMMENTS

"Redistricting" is the process by which the boundaries of districts of a governmental body are adjusted. Redistricting generally occurs at the beginning of each decade following the decennial federal census, when new district lines are adopted based on the census data so that the populations of each district of a governmental body are roughly equal.

The authority to establish district boundaries for a local jurisdiction generally is held by the governing body. Prior to 2017, state law generally permitted a county or a city to create an advisory redistricting commission (described in state law at the time as a "committee" of residents of the jurisdiction), but did not expressly permit local jurisdictions to create commissions that had the authority to establish district boundaries. In 2016, the Legislature passed and the Governor signed SB 1108 (Allen), Chapter 784, Statutes of 2016, which permits a county or a general law city to establish a redistricting commission, subject to certain conditions. SB 1018 (Allen), Chapter 462, Statutes of 2018, built upon SB 1108 by allowing all local governmental entities to establish redistricting commissions, and by

modifying some of the rules governing local redistricting commissions.

Separately, the Legislature has enacted a number of bills to require specified counties to establish redistricting commissions. SB 958 (Lara), Chapter 781, Statutes of 2016, required the establishment of a Citizens Redistricting Commission in Los Angeles County. Similarly, AB 801 (Weber), Chapter 711, Statutes of 2017, required the establishment of a Citizens Redistricting Commission in San Diego County. These commissions were in place for redistricting following the 2020 federal decennial census.

Last year, the Legislature approved AB 1307 (Cervantes), Chapter 403, Statutes of 2022, which creates a Citizens Redistricting Commission in Riverside County, AB 2030 (Arambula), Chapter 407, Statutes of 2022, which creates a Citizens Redistricting Commission in Fresno County, and AB 2494 (Salas), Chapter 411, Statutes of 2022, which creates a Citizens Redistricting Commission in Kern County, as specified. All of those commissions will be created for the next redistricting process following the 2030 census.

Although this bill requires specified local government bodies to establish IRCs to adopt district boundaries following each federal decennial census, this bill does not mandate that those bodies use a specific model of IRC as long as the commission that a local government body creates meets all the requirements of an IRC as provided under existing law. Local jurisdictions would still have the ability to decide the size of the IRC, the manner in which members are appointed to the IRC (provided that commissioners are not directly appointed by local elected officials), and the timeline for the formation of the IRC. Local jurisdictions would also be able to establish additional qualifications for members of the IRC, beyond the qualifications that apply under state law to IRCs more generally. If a jurisdiction is required to have an IRC under this bill, and it fails to create its own IRC by March 1 of a year ending in zero, then that jurisdiction would be required to establish an IRC pursuant to a default structure specified in this bill.

SB 139 (Allen) of 2019 would have required a county with a population of 400,000 or more to establish an IRC to adopt the county supervisorial districts after each federal decennial census, as specified, but it was vetoed by Governor Newsom.

Please see the policy committee analysis for a complete discussion of this bill.

#### According to the Author

"AB 1248 ensures community control over the redistricting process. The bill would require a county, general law city, and charter city that contains over 300,000 residents to establish an independent redistricting commission to adopt district boundaries. School districts and community college districts that contain over 500,000 residents will also establish an independent redistricting commission to adopt district boundaries. These localities will have until March 1, 2030 to establish an independent redistricting commission that meets local needs and adheres to best practices of independence and transparency. Voters and communities should have the right to choose their elected representatives, rather than the elected officials choosing their voters. Independent redistricting commissions (IRCs) are a proven and effective tool to ensure that the redistricting process respects and fairly represents communities, neighborhoods, and shared interests. This bill would ensure independence, transparency and best practices in the vital task of drawing district lines."

#### Arguments in Support

The co-sponsors of this bill, Asian Americans Advancing Justice-Southern California, California Common Cause, and the League of Women Voters of California, wrote in support of a prior version of this bill, "California has been recognized nationally for bringing independent, nonpartisan redistricting to our state redistricting process...IRCs have also been used successfully at the local level in California. Four counties, 14 cities, and one school district successfully used IRCs in the 2020 redistricting cycle. Three additional counties will use IRCs for the first time in 2030 due to legislative efforts following the 2020 redistricting cycle. However, while local jurisdictions have the statutorily granted ability to create their own IRCs, most jurisdictions have not done so. Self-interested incumbents simply do not have an incentive to cede their own authority to gerrymander districts to protect themselves, their majority, and/or their political party...AB 1248 will help Californians build a strong, fair, and more representative local democracy."

#### Arguments in Opposition

The California State Association of Counties, Rural County Representatives of California, and Urban Counties of California all have an "oppose unless amended" position on this bill. In a joint letter to a prior version of this bill, the

organizations wrote, "AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we respectfully request that AB 1248 be amended to ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting...In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance...Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the 'independent' nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists."

## FISCAL COMMENTS

According to the Assembly Appropriations Committee:

1) By requiring specified local agencies to provide funding and staffing for the creation and operation of IRCs, as specified, this bill creates a state-mandated local program. If the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, the local agency could claim reimbursement from the state. The magnitude of these costs is unknown, but likely in the hundreds of thousands of dollars per IRC every ten years (General Fund (GF)). This bill will likely result in the creation of over 50 new IRCs.

2) One-time costs of approximately \$1.9 million to \$2.5 million to the State Auditor to identify all local hybrid and IRCs across the state, not just those IRCs established pursuant to this bill. The State Auditor notes the number of special districts is unclear, so the specified range of costs relies on an estimate of 3,500 to 5,000 special districts, respectively. The State Auditor would likely incur additional costs every 10 years to update the list. Additionally, the State Auditor estimates costs of approximately \$377,000 to update computer systems to analyze CCRC applications for zip code locations and voting districts to share CCRC applicant contact information with city and county IRCs and inform applicants of city and county IRC opportunities.

3) Costs of an unknown, but likely substantive, amount to DOF every 10 years to prepare a population estimate for each school district and community college district (GF). DOF notes its Demographics Research Unit would need to acquire detailed housing unit datasets from a vendor to help generate these estimates. California has 1,018 school districts and 73 community college districts.

## VOTES

ASM ELECTIONS: 5-1-2

YES: Bryan, Bennett, Lee, Pellerin, Blanca Rubio

NO: Lackey

ABS, ABST OR NV: Essayli, Low

ASM LOCAL GOVERNMENT: 6-2-0

YES: Aguiar-Curry, Boerner, Pacheco, Ramos, Robert Rivas, Wilson

NO: Dixon, Waldron

ASM APPROPRIATIONS: 11-4-1

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Weber, Ortega

NO: Megan Dahle, Dixon, Mathis, Sanchez

ABS, ABST OR NV: Robert Rivas

UPDATED

VERSION: May 18, 2023

CONSULTANT: Ethan Jones / ELECTIONS / (916) 319-2094 FN: 0000945

**Recommendation(s)/Next Step(s):**

CONSIDER providing input on AB 764 (Bryan and Cervantes) and AB 1248 (Bryan, Muratsuchi, Arambula, Berman, Newman, Bennett, Bonta, Jackson, Lowenthal, Pellerin, Menjivar, and Allen) or RECOMMENDING a position on the bills to the Board of Supervisors.

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**Attachments**

*No file(s) attached.*

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### LEGISLATION COMMITTEE

9.

**Meeting Date:** 06/12/2023  
**Subject:** State Legislation of Interest to the County  
**Submitted For:** LEGISLATION COMMITTEE,  
**Department:** County Administrator  
**Referral No.:** 2023-01  
**Referral Name:**  
**Presenter:** L. DeLaney and Nielsen Merksamer      **Contact:** L. DeLaney, (925) 655-2057

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#### **Referral History:**

The Legislation Committee of the Board of Supervisors regularly receives reports on the State Budget and on other significant legislative proposals of interest to the County and provides input and/or direction to staff and its state advocates. The County's state advocates from Nielsen Merksamer will attend the June 12 meeting of the Legislation Committee via Zoom and provide the Committee with an update on progress of the County's sponsored bills and well as other significant budget and policy matters.

#### **Referral Update:**

May 19 marked the deadline for fiscal committees to hear and report bills introduced in their respective house to the floor. Over 1,100 bills were placed on the Assembly and Senate Appropriations Committee's Suspense File, with about 73.5 percent of those measures ultimately moving on to the next stage of the legislative process. June 2 marked the house of origin deadline, the last day for bills to be passed in their respective house.

According to UCC, "it's far easier to report what did not successfully move to the second house (i.e., to the Senate for Assembly bills and to the Assembly for Senate bills) in that only three bills in total failed passage. In the Senate, two bills failed on the floor: (1) [SB 426](#), by Senator Roger Niello, that would have enacted a significant terminology change in the context of charter schools and (2) [SB 466](#), by Senator Aisha Wahab, that would have given local jurisdictions the authority to limit rent control for housing that is more than 28 years old. In the Assembly, one bill failed passage: [AB 93](#), by Assembly Member Isaac Bryan, that would have prohibited police officers from seeking consent to search a person or their vehicle without an evidence-based legal justification.

Additionally, a number of measures were placed on the Inactive File, preserving the Legislature's ability to take those bills up at a later date. If a bill is in its house of origin Inactive File, it will not be eligible for hearing until next January and subject to the two-year bill deadlines. If a bill is in the second house Inactive File, it can be taken up at any time this legislative year or next year (in keeping with the normal calendar in the second year of a two-year session). One notable bill that was moved to the Inactive File this week in the Assembly is [AB 742](#), a measure by Assembly Member Corey Jackson that would have placed limitations on law enforcement's use of police canines."

**June 15** is the deadline for the State Budget to be passed (by midnight). **July 14** is the last day for policy committees to meet and report bills.

Below is a highlight of the Legislature's actions on several measures of interest to the County.

#### **Brown Act Related Bills**

The California State Association of Counties is co-sponsoring [AB 557 \(Hart\) Open meetings: local agencies: teleconferences](#) which would eliminate the sunset on the provision to allow remote meetings during a declared state of emergency, or in other situations related to public health, without complying with certain teleconferencing requirements.



Additionally, AB 557 would adjust the required timeframe for resolutions passed to renew a local agency's temporary transition to emergency remote meetings to 45 days from the previous timeline of 30 days.

Absent any legislative intervention, the processes established by [AB 361 \(Rivas\) \(Chapter 165, Statutes of 2021\)](#) to provide remote meeting flexibility to local agencies in emergency circumstances will expire on January 1, 2024. These changes were of vital importance to local agencies during the COVID-19 pandemic in order to continue to conduct the people's business.

AB 557 was passed by the Assembly on a 78 to 0 vote and is currently in the Senate. It has been double referred and will first be held in Senate Governance and Finance and will subsequently go to Senate Judiciary.

[AB 817 \(Pacheco\) Open Meetings: Teleconferencing: Subsidiary Body](#), a bill supported by the Board of Supervisors, did not advance out of its house of origin.

### **Other Bills of Interest as Reported by Urban Counties of California**

**SB 525 (Durazo) – Health Care Employee Minimum Wage**

[SB 525](#), Senator Maria Elena Durazo's measure to create a health care employee minimum wage, squeaked out of the Senate late Wednesday on a bare minimum vote of 21 to 11. The author announced in her opening remarks that she will be working on additional amendments to address concerns raised by other Senators, including a provision to address distressed hospitals, a phased-in approach on imposition of the wage increases, and ways to mitigate clinic concerns. Outside of this verbal commitment to continue working on the bill, no amendments are yet available in writing so it is unclear how the author plans to address these issues in the Assembly.

Prior to the floor debate, SB 525 was amended on May 25 to: (1) revise the implementation timeline to increase the health care minimum wage to \$21/hour in June 2024 and to \$25/hour in June 2025; (2) revise the inflator to the lesser of (instead of greater of) 3.5 percent or CPI; and (3) revise the salary minimum for salaried employees from 200% to 150% of the health care minimum wage (or from \$104,000 to \$78,000). Presumably the author's reference to the phase-in pushes out implementation further than what is in print. During the five-plus hours that the bill remained on call on the Senate floor, Senator Durazo continued to negotiate with her colleagues to secure the 21 votes, so perhaps there will be additional amendments to come.

**AB 1168 (Bennett) – Prehospital Emergency Medical Services**

Assembly Member Steve Bennett's [AB 1168](#) passed out of the Assembly on a 72 to 2 vote this week. The measure was amended on May 26 to: (1) narrow the bill to return the authority for and administration of prehospital emergency medical services (EMS) to the City of Oxnard, and (2) clarify that a city or fire district currently exercising their "201" rights may enter a Joint Powers Agreement (JPA) for the provision of prehospital EMS without automatically losing their 201 rights. The county coalition opposing the bill is reviewing the amendments, but remains opposed.

**AB 491 (Essayli) – Animal Shelter 72-Hour Notice for Euthanasia**

Assembly Member Bill Essayli has amended the contents of his [AB 595](#) into [AB 491](#), a bill formerly authored by Assembly Member Greg Wallis that had already moved to the Senate. Recall that AB 595 would have required all animal shelters provide online public notice at least 72 hours before euthanizing any animal. The Assembly Appropriations Committee had previously held AB 595, noting the considerable state and local costs associated with the new mandate.

Senate Rules Committee is currently in possession of AB 491. However, because the contents of the bill are identical to what was held by the Appropriations Committee, the bill is considered a "jailbreak." Jailbreak bills are typically not moved to a committee for consideration, so it is unlikely that AB 491 will be referred to a policy committee for a vote.

**Assembly Engages in MCO Tax Discussion**

The Assembly Health Committee and Assembly Budget Subcommittee No. 1 on HHS issues held a joint informational hearing on maximizing the Managed Care Organization (MCO) tax on Tuesday, May 30. The hearing included several panels: (1) the Legislative Analyst's Office (LAO) providing background and overview of Medi-Cal and the MCO tax, (2) the Administration presenting their proposal, and (3) two stakeholder panels discussing potential investments ([agenda](#), [LAO handout](#), [DHCS MCO Tax Primer](#)).

Several Assembly Members attended the hearing, including Chairs Wood and Arambula, Assembly Members Aguiar-Curry, Weber, Jackson, Fong, Alanis and Patterson. Assembly Members engaged with the Administration and LAO on several issues, including:

- What role the Legislature will have if the MCO package has to be renegotiated with the federal government

- Why the Administration is not eliminating all of the AB 97 cuts from 2007
- Whether raising rates to 87.5 percent of Medicare is the right number for retaining and attracting providers to Medi-Cal
- Whether the MCO tax revenues should be continuously appropriated
- What guardrails are appropriate for determining how much of the MCO tax is allocated to the General Fund v. provider rate increases
- What the stakeholder process for 2025 looks like and whether there should be additional direction and guardrails in statute
- Whether the \$10.3 billion in rate increases is sufficient
- Whether the federal government will push back on spreading the MCO tax into outyears
- Why the proposal doesn't include targeted investments in small and rural hospitals
- Whether any of the revenue will be put into the Distressed Hospital Loan Program
- Whether to spread the revenue over 3.5 years or 8 to 10 years, as the Administration has proposed
- The LAO's multi-year fiscal outlook.

The first panel included representatives of the Coalition to Protect Access to Care, which has been working on a MCO tax proposal since last fall. This same panel presented at the Senate hearing last week and included representatives from the Local Health Plans of California, the California Association of Health Plans, the California Medical Association, the California Hospital Association, the California Primary Care Association, Planned Parenthood Affiliates of California, and Service Employees International Union (SEIU) California. The Coalition is pushing that MCO tax revenues be spread over 3.5 years (instead of the longer time horizon of 8 to 10 years being proposed by the Administration); that the revenue be spent immediately (no delays in rate increases to 2025); and that investments are targeted to primary care, specialty care, behavioral health, emergency departments, and workforce, including graduate medical education. The clinics are specifically advocating for: (1) \$250 million for an enhanced access and quality pool via a Medi-Cal directed payment program; (2) \$50 million directed to same day encounters; and (3) \$50 million community health workers as an allowable encounter for federally qualified health centers.

The second panel included representatives from the Pediatric Day Health Care Coalition, the California Association of Air Medical Services, the California Association of Adult Day Services, the California Medical Transportation Association, and the California Association of Health Services at Home. All the panel representatives were seeking rate increases for the services they provide.

The Senate and Assembly actions last week on the MCO tax proposal are not identical and conversations continue between the two houses. The MCO tax revenue is an integral part of the budget architecture, and an agreement on revenue will need to occur in June in order for the Administration to seek federal approval before June 30.

### **CSAC Summary of Governor Newsom's 2023-24 May Revision**

May 12, Governor Gavin Newsom released the 2023-24 [May Revision](#) which identifies changes to the Governor's Proposed Budget based upon the latest economic forecasts. The May Revision outlines Governor Newsom's proposal to ameliorate a \$31.5 billion estimated deficit. As expected, this deficit is much larger than the \$22.5 billion projected by the Administration in January. CSAC staff provides a full summary of key provisions to counties in their [Budget Action Bulletin](#).

Note the May Revision provides no additional fiscal resources to address the operational shortfalls that a variety of local transit agencies are facing. Although the state's transit agencies have benefitted from large infusions of capital dollars, both state and federal post-pandemic ridership trends have resulted in significant operating challenges for many of the state's transit agencies, particularly as federal relief dollars begin to run out. The Administration has indicated they are open to discussions with the Legislature on potential near-and long-term solutions to support the viability of transit across the state.

### **Governor Newsom Proposals**

Governor Newsom unveiled a broad set of policy proposals on May 19, 2023, to streamline clean energy, water, and transportation infrastructure projects. This "infrastructure package" includes the following 10 policy proposals:

- [Administrative Records Review \(Language\) \(updated: 05/19/2023\)](#)
- [CEQA Judicial Streamlining \(Language\) \(updated: 05/19/2023\)](#)
- [Green Financing Programs for Federal IRA Funding \(Language\) \(updated: 05/19/2023\)](#)
- [Accelerating Environmental Mitigation \(Language\) \(updated: 05/19/2023\)](#)
- [National Environmental Policy Act \(NEPA\) Delegation Authority \(Language\) \(updated: 05/19/2023\)](#)
- [Direct Contracting \(Public-Private Partnership Authority 1-15 Wildlife Crossings\) \(Language\) \(updated: 05/19/2023\)](#)

- [Job Order Contracting \(Language\) \(updated: 05/19/2023\)](#)
- [Progressive Design Build Authority for Caltrans and DWR \(Language\) \(updated: 05/19/2023\)](#)
- [Fully Protected Species Reclassification \(Language\) \(updated: 05/19/2023\)](#)
- [Delta Reform Act Streamlining \(Language\) \(updated: 05/19/2023\)](#)

This package was made public along with the issuance of Executive Order N-8-23, which calls for the convening of an Infrastructure Strike Team to identify streamlining opportunities. Governor Newsom intends to “facilitate and streamline project approval and completion to maximize California’s share of federal infrastructure dollars and expedite the implementation of projects that meet the state’s ambitious economic, climate, and social goals.”

The Governor has expressed a desire that the Legislature include these streamlining proposals – released after the May Revision – as “trailer bills” in the 2023-24 State Budget. As a whole, this package of bills represents significant policy changes in various areas, including transportation, wildlife, water, and natural resource laws. Considering these proposals late in the Budget process, especially after sub-committees have concluded their work, significantly limits transparency and public input. Hastily considering these proposals increases the potential for creating unintended consequences while limiting the Legislature’s ability to evaluate whether the proposals will actually lead to the positive impacts envisioned by this administration.

On May 19, 2023, Governor Newsom's Press Office released the following Press Release related to streamlining clean energy, water, and transportation infrastructure projects.

**"Governor Newsom Unveils New Proposals to Build California's Clean Future, Faster**

Published: May 19, 2023

**WHAT YOU NEED TO KNOW:** Governor Newsom’s proposals would streamline projects to unleash construction across the state – accelerating the building of clean infrastructure so California can reach its world-leading climate goals while creating hundreds of thousands of jobs.

STANISLAUS COUNTY – At the site of a future solar farm in the Central Valley, Governor Gavin Newsom today announced the state’s most ambitious permitting and project review reforms in a half-century to build California’s clean energy future while creating thousands of good jobs. The measures will facilitate and streamline project approval and completion to maximize California’s share of federal infrastructure dollars and expedite the implementation of projects that meet the state’s ambitious economic, climate, and social goals.

Through unprecedented investments over the past two state budgets, as well as funding from the federal Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA), California will invest up to \$180 billion over the next decade in clean infrastructure, which will create 400,000 good jobs while helping meet the state’s climate goals. By streamlining permitting, cutting red tape, and allowing state agencies to use new types of contracts, these proposals will maximize taxpayer dollars and accelerate timelines of projects throughout the state, while ensuring appropriate environmental review and community engagement.

Today’s announcement follows Thursday’s [report](#) urging permitting reform from Infrastructure Advisor to California, former Los Angeles Mayor Antonio Villaraigosa, and California Forward.

Together, these proposals could:

- Cut project timelines by more than three years
- Save businesses and state and local governments hundreds of millions of dollars
- Reduce paperwork by hundreds of thousands of pages

Also today, Governor Newsom signed an [executive order](#) to stand up a strike team to accelerate clean infrastructure projects across the state by implementing an all-of-government strategy for planning and development.

The legislative package and executive order will:

- **Speed Up Construction:** Current construction procurement processes drive delays and increase project costs. The Governor’s proposals include methods to offer a streamlined process for project delivery to reduce project timeframes and costs.
- **Expedite Court Review:** Legal challenges often tie up projects even after they’ve successfully gone through environmental review. These proposals would authorize expedited judicial review to avoid long delays on the back end and advance projects without reducing the environmental and government transparency benefits of CEQA.

- **Streamline Permitting:** Makes various changes to California law to accelerate permitting for certain projects, reducing delays and project costs.
- **Address cumbersome CEQA processes across the board:** Streamlines procedures around document retention and review.
- **Maximize Federal Dollars:** Establish a Green Bank Financing Program within the Climate Catalyst Fund so that the state can leverage federal dollars for climate projects that cut pollution, with an emphasis on projects that benefit low-income and disadvantaged communities.

**What Governor Newsom said:** “The only way to achieve California’s world-leading climate goals is to build, build, build – faster. This proposal is the most ambitious effort to cut red tape and streamline regulations in half a century. It’s time to make the most out of taxpayer dollars and deliver results while creating hundreds of thousands of good jobs. Not since the Pat Brown era have we had the opportunity to invest in and rebuild this state to create the clean future Californians deserve.”

The Governor visited the future site of Proxima Solar Farm in Patterson to unveil the legislation. The facility, which broke ground in August 2022 and is expected to be operational as early as December, could power 60,000 homes in the surrounding region and is capable of generating up to 210 megawatts of clean, renewable energy and 177 megawatts of battery energy storage. NextEra Energy expects the project to create 300 construction jobs and generate \$35 million in local revenue.

Some examples of projects that could be streamlined include:

- Hundreds of solar, wind, and battery storage projects
- Transit and regional rail construction
- Clean transportation, including maintenance and bridge projects
- Water storage projects funded by Proposition 1
- Delta Conveyance Project
- Semiconductor fabrication plants
- Wildlife crossings along the I-15 corridor

The legislation builds on the Administration’s efforts to reform the California Environmental Quality Act (CEQA) to better serve the needs of today while also preserving the state’s historic commitment to protecting the environment. It also complements actions the Governor and the Legislature have taken to streamline state laws to maximize housing production, with 20 CEQA reform bills signed into law in recent years”.

Governor Gavin Newsom's Press Office also released the following Press Release on the morning of June 8, 2023.

### **Governor Newsom Proposes Historic 28th Amendment to the United States Constitution to End America’s Gun Violence Crisis**

*Principles of proposed 28th Amendment broadly supported by the American public and gun owners*

SACRAMENTO – Today Governor Gavin Newsom proposed a 28th Amendment to the United States Constitution to enshrine fundamental, broadly supported gun safety measures into law. While leaving the 2nd Amendment unchanged and respecting America’s gun-owning tradition, the Governor’s proposal guarantees common sense constitutional protections and gun safety measures that Democrats, Republicans, independent voters, and gun owners overwhelmingly support – including universal background checks, raising the firearm purchase age to 21, instituting a firearm purchase waiting period, and barring the civilian purchase of assault weapons.

“Our ability to make a more perfect union is literally written into the Constitution,” said Governor Gavin Newsom. “So today, I’m proposing the 28th Amendment to the United States Constitution to do just that. The 28th Amendment will enshrine in the Constitution common sense gun safety measures that Democrats, Republicans, Independents, and gun owners overwhelmingly support – while leaving the 2nd Amendment unchanged and respecting America’s gun-owning tradition.”

The 28th Amendment will permanently enshrine four broadly supported gun safety principles into the U.S. Constitution:

- Raising the federal minimum age to purchase a firearm from 18 to 21;
- Mandating universal background checks to prevent truly dangerous people from purchasing a gun that could be used in a crime;
- Instituting a reasonable waiting period for all gun purchases; and
- Barring civilian purchase of assault weapons that serve no other purpose than to kill as many people as possible in a

short amount of time - weapons of war our nation's founders never foresaw. Additionally, the 28th Amendment will affirm Congress, states, and local governments can enact additional common-sense gun safety regulations that save lives.

Passage of the 28th Amendment will require a convention to propose amendments to the United States Constitution, also known as an Article V Convention or amendatory convention. Working in partnership with members of the California State Senate and Assembly, California will be the first state in the nation to call for such a convention with a joint resolution being introduced by California State Senator Aisha Wahab and Assemblymember Reggie Jones-Sawyer. The Governor will work with grassroots supporters, elected and civic leaders, and broad and diverse coalitions across the nation to fight for the passage of similar resolutions in other state legislatures to ensure the convening of a constitutional convention limited to this subject. 33 other states, in addition to California, would need to take action to convene such a convention.

“A man of action, Governor Gavin Newsom has the backbone to actually do something about the gun fetish culture around weapons of war, and tackle the relentless problem of gun violence and mass shootings,” said Senator Aisha Wahab. “As someone impacted by gun violence, I have an obligation to elevate the voices of victims and those of us left behind in the wake of tragedy.”

“I am proud to introduce this resolution to protect the common sense gun reform legislation our Assembly Public Safety Committee has championed over the years,” said Assemblymember Reggie Jones-Sawyer. “We cannot stand idly while courts roll back our work and diminish the ability of our Legislature to keep Californians safe. This bold but fair resolution calls on other states to join us in protecting some of the most effective ways of reducing gun violence.”

With gun violence claiming the lives of [over](#) 110 Americans a day, California's nation-leading gun safety laws serve as a valuable blueprint for other states and Congress to save lives. California's gun safety laws [work](#). In its most recent scorecard, California ranked as the #1 state for gun safety by the [Giffords Law Center](#), and according to the most recent data, the state saw a 37% lower gun death rate than the national average. According to the [CDC](#), California's gun death rate was the 44th lowest in the nation, with 8.5 gun deaths per 100,000 people – compared to 13.7 deaths per 100,000 nationally, 28.6 in Mississippi, 20.7 in Oklahoma, and 14.2 in Texas.

The County's Master List of Bills of Interest is [Attachment A](#).

**Recommendation(s)/Next Step(s):**

ACCEPT the report on the State Budget and State Bills of Interest to the County and provide direction and/or input to staff and the County's lobbyists, as needed.

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**Attachments**

**Attachment A: Master List of Bills of Interest**

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**Contra Costa County**  
**Master List of Bills of Interest**  
**06/08/23**

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AB 24	<p><b>AUTHOR:</b> Haney [D]  <b>TITLE:</b> Emergency Response: Opioid Antagonist Kits  <b>FISCAL</b> yes  <b>COMMITTEE:</b>  <b>URGENCY</b> no  <b>CLAUSE:</b>  <b>INTRODUCED:</b> 12/05/2022  <b>LAST AMEND:</b> 04/26/2023  <b>DISPOSITION:</b> Pending  <b>LOCATION:</b> Assembly Appropriations Committee  <b>SUMMARY:</b>  Requires a person or entity that owns or is responsible for a designated facility, after receiving an opioid antagonist kit from the State Department of Public Health a, to post an opioid antagonist kit, which includes an instructional poster and opioid antagonist nasal spray, in areas that are readily accessible only by employees, to restock the opioid antagonist kit after each use or upon expiration of the nasal spray contained in the kit, and to request a replacement kit from the department.  <b>STATUS:</b>  05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.</p>
AB 30	<p><b>AUTHOR:</b> Ward [D]  <b>TITLE:</b> Atmospheric Rivers: Research, Mitigation, and Climate  <b>FISCAL</b> yes  <b>COMMITTEE:</b>  <b>URGENCY</b> no  <b>CLAUSE:</b>  <b>INTRODUCED:</b> 12/05/2022  <b>DISPOSITION:</b> Pending  <b>COMMITTEE:</b> Senate Natural Resources and Water Committee  <b>HEARING:</b> 06/22/2023  <b>SUMMARY:</b>  Requires the Department of Water Resources to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.  <b>STATUS:</b>  05/31/2023 To SENATE Committee on NATURAL RESOURCES AND WATER.  <b>BOS:</b> Support</p>

**ATTACHMENTS** [LOS](#)

AB 50

**AUTHOR:** Wood [D]  
**TITLE:** Public Utilities: Timely Service: Customer Energization  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/05/2022  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Energy, Utilities and Communications Committee  
**SUMMARY:**

Requires a public utility to furnish and maintain timely service, instrumentalities, equipment, and facilities. Requires the Public Utilities Commission, on or before specified date, to determine the criteria for timely service for electric customers, including, among other things, reasonable average energization time periods for categories of timely service.

**STATUS:**  
06/07/2023 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

AB 52

**AUTHOR:** Grayson [D]  
**TITLE:** Income Tax Credit: Sales and Use Taxes Paid  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/05/2022  
**LAST AMEND:** 04/19/2023  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Governance and Finance Committee  
**HEARING:** 06/14/2023 1:30 pm  
**SUMMARY:**

Relates to the Sales and Use Tax Law. Allows a credit against those taxes to a taxpayer in an amount equal to the amount of tax reimbursement paid during the taxable year for sales tax on gross receipts that would be exempt from taxation pursuant to the sales and use tax exemption. Allows a similar tax credit against those taxes to a taxpayer in an amount equal to the amount of use tax paid during the taxable year for storage, use, or other consumption that would be exempt from taxation under that law.

**STATUS:**  
05/31/2023 To SENATE Committee on GOVERNANCE AND FINANCE.

AB 55

**AUTHOR:** Rodriguez [D]  
**TITLE:** Medi-Cal: Workforce Adjustment for Ground Ambulance  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/05/2022  
**LAST AMEND:** 04/27/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Provides for increased Medi-Cal reimbursement to providers of ground emergency medical transportation services that are owned or operated by certain types of public entities. Establishes a workforce adjustment, serving as an additional payment, for each ground ambulance transport performed by a provider of medical transportation services, excluding specified public entity providers. Varies the rate of adjustment depending on the point of pickup and whether the service was for an emergency or nonemergency.

**STATUS:**  
05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

AB 67

**AUTHOR:** Muratsuchi [D]  
**TITLE:** Homeless Courts Pilot Program  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/07/2022  
**LAST AMEND:** 03/13/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE  
**SUMMARY:**

Creates the Homeless Courts Pilot Program. Requires applicant cities or counties seeking grant funds to provide a number of specified services or program components, including, but not limited to, a diversion program enabling participating defendants to have specified charges dismissed upon completion of a program, provision of temporary, time-limited, or permanent housing during the duration of the program, and a dedicated representative to assist defendants with housing needs.

**STATUS:**  
05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
\*\*\*\*\*To SENATE. (68-7)



AB 68

**AUTHOR:** Ward [D]  
**TITLE:** Land Use: Streamlined Housing Approvals  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/08/2022  
**LAST AMEND:** 04/12/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:**

Requires a local government to approve a proposed housing development pursuant to a streamlined, ministerial approval process if the development meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel or be included in the applicable region's sustainable communities strategy as a priority development area.

**STATUS:**

04/12/2023 From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.  
04/12/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

**CSAC:**

CSAC is opposed to AB 68, because this bill proposes to strip local governments of their land-use authority by permanently prohibiting all new housing construction in counties that the bill claims are not "climate smart parcels," despite the California Air Resources Board's (CARB) recognition to the contrary and will worsen California's existing housing crisis by preventing local governments from permitting new housing units in most of their jurisdictions.

AB 78

**AUTHOR:** Ward [D]  
**TITLE:** Grand Juries  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 12/15/2022  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Requires the fee for grand jurors to be equal to 70% of the county median daily income for each day's attendance. Requires the list of grand jurors to contain the person's gender, age, race or ethnicity, and residential ZIP Code or supervisorial district of the respective counties. Requires a separate list to be published in a newspaper containing each person's name and the name of the judge who selected the jurors.

**STATUS:**  
05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

AB 240 **AUTHOR:** Kalra [D]  
**TITLE:** Dogs and Cats: California Spay-Neuter Fund  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 01/13/2023  
**LAST AMEND:** 02/28/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Agriculture Committee  
**SUMMARY:**  
Requires the Department of Food and Agriculture to collect, on an annual basis, a charge of a specified amount from a manufacturer of dog and cat food for each label submitted by the manufacturer to the State Department of Public Health for dog and cat food. Requires a manufacturer of dog and cat food that has less than a specified amount in verifiable gross annual sales to instead only pay a single annual charge of a specified amount to the Department of Food and Agriculture; appropriates funds.

**STATUS:**  
03/29/2023 In ASSEMBLY Committee on AGRICULTURE: Not heard.  
**Alan Abbs:**  
BOS supported on 4/4. C.47  
**Beth Ward:**  
We've been asked to sign on to a coalition letter for AB 240 by Kit O'Doherty, Director of Partners in Animal Care & Compassion  
**BOS:** Support  
**ATTACHMENTS** [AB 240 \(Kalra\) California Spay-Neuter Fund--SUPPORT to Agriculture](#)

AB 356 **AUTHOR:** Mathis [R]  
**TITLE:** California Environmental Quality Act: Aesthetic Impacts  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 01/31/2023  
**LAST AMEND:** 04/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:**  
Relates to the California Environmental Quality Act, which requires a lead agency to prepare and certify the completion of an environmental impact report on a project that it proposes to carry out. Requires the lead agency to file a notice with the Office

of Planning and Research and the county clerk of the county in which the project is located if the lead agency determines that it is not required to evaluate the aesthetic effects of a project and determines to approve or carry out that project.

**STATUS:**

06/07/2023 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS. (7-0)

**CSAC:**

sponsoring

AB 400

**AUTHOR:** Rubio [D]**TITLE:** Local Agency Design-Build Projects: Authorization**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/02/2023**LAST AMEND:** 05/01/2023**DISPOSITION:** Pending**COMMITTEE:** Senate Governance and Finance Committee**HEARING:** 06/14/2023 1:30 pm**SUMMARY:**

Provides that existing law authorizes local agencies to use the design-build procurement process for specified types of projects, and requires specified information submitted by a design-build entity to be certified under penalty of perjury. Extends the repeal date to a specified date.

**STATUS:**

05/31/2023 To SENATE Committee on GOVERNANCE AND FINANCE.

**BOS:** Support**ATTACHMENTS** [LOS](#)

AB 480

**AUTHOR:** Ting [D]**TITLE:** Surplus Land**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 02/07/2023**LAST AMEND:** 04/05/2023**DISPOSITION:** Pending**LOCATION:** Senate Governance and Finance Committee**SUMMARY:**

Exempts a local agency, in specified instances, from making a declaration at a public meeting for land that is exempt surplus land if the local agency identifies the land in a notice that is published and available for public comment at least a specified number of days before the exemption takes effect.

**STATUS:**  
05/31/2023 To SENATE Committees on GOVERNANCE AND FINANCE and HOUSING.

**CSAC:**  
oppose unless amended coalition to Asm Housing and Community Development

AB 482

**AUTHOR:** Wilson [D]  
**TITLE:** Air Ambulance Services  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/07/2023  
**LAST AMEND:** 03/09/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Health Committee

**SUMMARY:**

Annually transfers a specified amount from the Aeronautics Account to the Emergency Medical Air Transportation and Children's Coverage Fund and continuously appropriates those moneys to augment Medi-Cal reimbursement for emergency medical air transportation and related costs.

**STATUS:**

03/09/2023 To ASSEMBLY Committee on HEALTH.  
03/09/2023 From ASSEMBLY Committee on HEALTH with author's amendments.  
03/09/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.

**BOS:** Support

**ATTACHMENTS** [AB 482 \(Wilson\) Air Ambulance Services--SUPPORT Asm Health](#)

AB 504

**AUTHOR:** Reyes [D]  
**TITLE:** State and Local Public Employees: Labor Relations  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/07/2023  
**LAST AMEND:** 04/13/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Provides that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary labor dispute, perform work for a public employer involved in a primary labor dispute, or go through or work behind a primary picket line. Prohibits

a public employer from directing a public employee to take those actions.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
\*\*\*\*\*To SENATE. (63-13)

**CSAC:**

Oppose coalition

AB 505

**AUTHOR:** Ting [D]  
**TITLE:** The Office of Youth and Community Restoration  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/07/2023  
**LAST AMEND:** 03/23/2023  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Public Safety Committee  
**HEARING:** 06/20/2023 8:30 am

**SUMMARY:**

Transfers all authority, responsibilities, and duties on the Board of State and Community Corrections regarding juvenile justice to the Office of Youth and Community Restoration, including, but not limited to, conducting inspections and developing and enforcing minimum standards for local facilities. Makes conforming changes to remove references to delinquent conduct from provisions relating to the board's authority regarding the minimum standards and training for corrections and probation officers.

**STATUS:**

06/07/2023 To SENATE Committee on PUBLIC SAFETY.

AB 540

**AUTHOR:** Wicks [D]  
**TITLE:** Social Service Transportation Improvement Act  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/08/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Transportation Committee

**SUMMARY:**

Requires the coordination, rather than the consolidation, of social service transportation services under the Social Service Transportation Improvement Act and would recharacterize consolidated transportation service agencies in the act as coordinated transportation service agencies. Authorizes a coordinated transportation service agency to review and comment on specified plans and projects relevant to its jurisdiction, and would require specified agencies to respond to the comments.

**STATUS:**

03/27/2023 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

**BOS:** Support

**ATTACHMENTS** [AB 540 Wicks Coordinated Transportation--SPONSOR](#)

AB 557

**AUTHOR:** Hart [D]

**TITLE:** Open Meetings: Local Agencies: Teleconferences

**FISCAL** no

**COMMITTEE:**

**URGENCY** no

**CLAUSE:**

**INTRODUCED:** 02/08/2023

**DISPOSITION:** Pending

**COMMITTEE:** Senate Judiciary Committee

**HEARING:** 06/27/2023 1:30 pm

**SUMMARY:**

Extends the abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, indefinitely. The bill would also extend the period for a legislative body to make specified findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.

**STATUS:**

06/07/2023 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on JUDICIARY. (8-0)

**CSAC:**

Co-sponsored

**AB 592**

**AUTHOR:** Wilson [D]

**TITLE:** Vehicles: Nonfranchise Solid Waste Haulers

**FISCAL** no

**COMMITTEE:**

**URGENCY** no

**CLAUSE:**

**INTRODUCED:** 02/09/2023

**LAST AMEND:** 04/18/2023

**DISPOSITION:** Pending

**COMMITTEE:** Senate Governance and Finance Committee

**HEARING:** 06/14/2023 1:30 pm

**SUMMARY:**

Authorizes a county to adopt an ordinance to regulate the transport of solid waste by nonfranchise solid waste haulers on public roads in unincorporated areas of the county.

**STATUS:**

06/07/2023 In SENATE Committee on GOVERNANCE AND FINANCE: Not heard.

**Commentary001:**

Our SPONSORED bill.

ATTACHMENTS [Sponsor Letter](#)

AB 595

**AUTHOR:** Essayli [R]  
**TITLE:** Animal Shelters: 72-Hour Public Notice: Euthanasia  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/09/2023  
**LAST AMEND:** 04/12/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Provides for Bowie's Law, which requires all animal shelters to provide public notice on their internet website at least a specified number of hours before euthanizing any dog, cat, or rabbit, with specified exceptions. Requires that notice to indicate that the animal is subject to euthanasia and to include information about the animal and its availability for adoption. Authorizes an animal shelter to provide this public notice for a shorter time period if the animal shelter makes certain determinations.

**STATUS:**

05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

AB 687

**AUTHOR:** Hart [D]  
**TITLE:** California Cannabis Authority  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 04/11/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE  
**SUMMARY:**

Relates to the Department of Cannabis Control track and trace program for reporting the movement of cannabis and cannabis products throughout the distribution chain and requires the program to capture certain information. Requires the track and trace program, if the sale of cannabis is conducted by delivery, to capture the ZIP Code of the delivery address.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
 \*\*\*\*\*To SENATE. (80-0)

AB 702

**AUTHOR:** Jackson [D]  
**TITLE:** Local Government Financing: Juvenile Justice  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 03/23/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Public Safety Committee  
**SUMMARY:**

Revises and recasts required components of the multiagency juvenile justice plan to, among other things, additionally require a plan to include an assessment of existing community-based youth development services, identification and prioritization of areas of the community that are vulnerable to court system involvement due to high rates of poverty and the incarceration of at-risk youth's family members, among other things, and a description of the target population funded under these provisions.

**STATUS:**  
04/25/2023 In ASSEMBLY Committee on PUBLIC SAFETY: Not heard.

**CSAC:**  
Oppose with UCC/RCRC

AB 730

**AUTHOR:** Lowenthal [D]  
**TITLE:** Public Records Act: Public Agency Employees  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 03/09/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Judiciary Committee  
**SUMMARY:**

Requires an agency to promptly provide a public agency employee with written notice of a request to disclose a record related to personnel, medical, or similar information of that employee. Requires the agency, before disclosing or making those records available, to provide not less than a specified number of days written notice to the employee of its intent to disclose or make the records available. Expands the definition of unusual circumstances.

**STATUS:**  
03/09/2023 To ASSEMBLY Committees on JUDICIARY and PUBLIC EMPLOYMENT AND RETIREMENT.  
03/09/2023 From ASSEMBLY Committee on JUDICIARY with author's amendments.  
03/09/2023 In ASSEMBLY. Read second time and amended. Re-referred



to Committee on JUDICIARY.

AB 799

**AUTHOR:** Rivas [D]  
**TITLE:** Homeless Housing, Assistance, and Prevention Program  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 04/19/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Human Services Committee  
**SUMMARY:**

Provides for the Homelessness Accountability and Results Act, which specifies that the purpose of the Homeless Housing, Assistance, and Prevention program is to provide ongoing grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by best-practices and to solve homelessness using evidence-based or, where no evidence exists, a data-informed and promising framework.

**STATUS:**

06/07/2023 To SENATE Committees on HUMAN SERVICES and HOUSING.

AB 817

**AUTHOR:** Pacheco [D]  
**TITLE:** Open Meetings: Teleconferencing: Subsidiary Body  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 03/16/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Relates to the Ralph Brown Act. Authorizes a subsidiary body to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency.

**STATUS:**

03/16/2023 To ASSEMBLY Committee on LOCAL GOVERNMENT.  
03/16/2023 From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.  
03/16/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

**BOS:** Support

**ATTACHMENTS** [AB 817 \(Pacheco\) Open Meetings. Teleconferencing. Subsidiary Body--SUPPORT to Local Gov](#)

AB 881

**AUTHOR:** Ting [D]  
**TITLE:** Juror Fees: Pilot Program  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/14/2023  
**LAST AMEND:** 06/07/2023  
**DISPOSITION:** Pending  
**COMMITTEE:** Senate Public Safety Committee  
**HEARING:** 06/20/2023 8:30 am  
**SUMMARY:**  
Provides that existing law authorizes the Superior Court of San Francisco to conduct a pilot program to analyze and determine whether paying certain low-income trial jurors \$100 per day for each day they are required to report for service as a trial juror in a criminal case promotes a more economically and racially diverse trial jury panel that more accurately reflects the demographics of the community. Expands the pilot program to include the Superior Courts of specified counties.

**STATUS:**  
06/07/2023 To SENATE Committee on PUBLIC SAFETY.  
06/07/2023 From SENATE Committee on PUBLIC SAFETY with author's amendments.  
06/07/2023 In SENATE. Read second time and amended. Re-referred to Committee on PUBLIC SAFETY.

AB 909

**AUTHOR:** Hoover [R]  
**TITLE:** Solid Waste Disposal and Codisposal Site Cleanup  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/14/2023  
**LAST AMEND:** 03/30/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**  
Authorizes the Department of Resources Recycling and Recovery, beginning on specified date, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, regardless of whether they were codisposed with nonhazardous solid waste. Requires the department to annually seek up to a specified amount from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred.

**STATUS:**  
05/18/2023 In ASSEMBLY Committee on APPROPRIATIONS: Held in

committee.

AB 1057

**AUTHOR:** Weber A [D]  
**TITLE:** State Home Visiting Program  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/15/2023  
**LAST AMEND:** 04/20/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee  
**SUMMARY:**

Establishes within the Health and Safety Code the California Home Visiting Program, a voluntary program originally created administratively, under which the State Department of Public Health provides funds to local health departments to support pregnant people and parents with young children who live in communities that face greater risks and barriers to achieving positive maternal and child health outcomes.

**STATUS:**  
06/07/2023 To SENATE Committee on HEALTH.

**CSAC:**  
CSAC sponsored

**BOS:** Support

**ATTACHMENTS** [AB 1057 \(Weber\) California Home Visiting Program--SUPPORT to Asm Approps](#)  
[AB 1057 \(Weber\) California Home Visiting Program--SUPPORT to Asm Health](#)

AB 1090

**AUTHOR:** Jones-Sawyer [D]  
**TITLE:** County Officers: Sheriffs  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/15/2023  
**LAST AMEND:** 04/13/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Provides for the removal of public officers for willful or corrupt misconduct in office. Authorizes the board of supervisors to remove a sheriff from office for cause, as defined, by a 4/5 vote, after the sheriff is served with a written statement of the alleged grounds for removal and the sheriff is provided a reasonable opportunity to be heard regarding an explanation or defense at a removal proceeding.

**STATUS:**

05/03/2023 In ASSEMBLY Committee on LOCAL GOVERNMENT: Not heard.

AB 1168 **AUTHOR:** Bennett [D]  
**TITLE:** Emergency Medical Services (EMS): Prehospital EMS  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 05/26/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee  
**SUMMARY:**  
Requires a city or fire district to retain its authorities regarding, and the administration of, prehospital EMS if it provided, as of specified date, prehospital EMS through a joint powers agreement with a county and ceased to contract for, provide, or administer prehospital EMS as a result of a judicial finding, or if it is, as of specified date, providing prehospital EMS pursuant to statute and enters a joint powers agreement with a county for joint exercise of powers regarding prehospital EMS.  
**STATUS:**  
06/07/2023 To SENATE Committees on HEALTH and GOVERNANCE AND FINANCE.  
**BOS:** Oppose  
**ATTACHMENTS** [AB 1168 \(Bennett\) EMS--OPPOSE to Asm Health](#)

AB 1238 **AUTHOR:** Ward [D]  
**TITLE:** Hazardous Waste: Solar Panels  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 03/21/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Environmental Quality Committee  
**SUMMARY:**  
Requires the Department of Toxic Substances Control to develop alternative management standards for managing photovoltaic modules. Specifies parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules.  
**STATUS:**  
06/07/2023 To SENATE Committee on ENVIRONMENTAL QUALITY.

AB 1248      **AUTHOR:** Bryan [D]  
**TITLE:** Local Redistricting: Independent Commissions  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Elections and Constitutional Amendments Committee  
**SUMMARY:**  
Requires a county, general law city, charter city, or charter city and county that contains over a specified number of residents, and a school district or community college district that contains over a specified number of residents, to establish an independent redistricting commission to adopt district boundaries after each federal decennial census.  
**STATUS:**  
06/07/2023      To SENATE Committees on ELECTIONS AND CONSTITUTIONAL AMENDMENTS and GOVERNANCE AND FINANCE.

**CSAC:**  
oppose unless amended with UCC/RCRC to Asm Local Government

AB 1331      **AUTHOR:** Wood [D]  
**TITLE:** California Health and Human Services Data Exchange  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 04/10/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee  
**SUMMARY:**  
Requires the Center for Data Insights and Innovation to take over establishment, implementation, and all the functions related to the California Health and Human Services Data Exchange Framework on or before specified date, subject to an appropriation in the annual Budget Act.  
**STATUS:**  
05/31/2023      To SENATE Committee on HEALTH.

AB 1348      **AUTHOR:** Grayson [D]  
**TITLE:** State Government: Controller: Claims Audits  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no

**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Relates to the Government Claims Act, which requires the presentation of all claims for money or damages against local public entities and the State. Authorizes the Controller to conduct financial and compliance audits as the Controller's office deems as necessary for purposes of ensuring that any expenditures are expended in a manner consistent with the law and the voters' intent. Requires the Controller to provide a report with specified information from these audits to the Legislature.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
 \*\*\*\*\*To SENATE. (80-0)

AB 1376

**AUTHOR:** Carrillo J [D]  
**TITLE:** Emergency Medical Services: Liability Limitation  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023  
**LAST AMEND:** 05/03/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee

**SUMMARY:**

Provides that a private provider of ambulance services, and their employees, when operating in accordance with the standards, regulations, policies, and protocols of local emergency medical services agencies, shall not be criminally or civilly liable for the continued detainment of a person when that detainment is requested by specified persons authorized to detain persons in circumstances involving the transport and continued containment of a person who requires mental health evaluation and treatment.

**STATUS:**

05/24/2023 To SENATE Committees on HEALTH and JUDICIARY.

AB 1465

**AUTHOR:** Wicks [D]  
**TITLE:** Nonvehicular Air Pollution: Civil Penalties  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023

**LAST AMEND:** 03/16/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Relates to the maximum civil penalties for a person who violates air pollution laws from nonvehicular sources. Triples specified civil penalties if the violation results from a discharge from a stationary source required by federal law to be included in an operating permit program established pursuant to specified provisions of the federal Clean Air Act, the stationary source is a refinery, and the discharge contains one or more toxic air contaminants, as identified by the State Air Resources Board.

**STATUS:**

06/01/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
 \*\*\*\*\*To SENATE. (51-15)

AB 1476

**AUTHOR:** Alvarez [D]  
**TITLE:** Community Redevelopment Law of 2023  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023  
**LAST AMEND:** 04/11/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Appropriations Committee  
**SUMMARY:**

Requires the Director of Finance to adjust the percentage of General Fund revenues appropriated for school districts and community college districts for certain purposes in a manner that ensures that the division of taxes authorized by the Community Redevelopment Law of 2023 have no net fiscal impact upon the total amount of the General Fund revenue and local property tax revenue allocated to school districts and community college districts.

**STATUS:**

04/26/2023 From ASSEMBLY Committee on HOUSING AND  
 COMMUNITY DEVELOPMENT: Do pass to Committee on  
 APPROPRIATIONS. (6-2)

AB 1484

**AUTHOR:** Zbur [D]  
**TITLE:** Temporary Public Employees  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Relates to the Meyers-Milias-Brown Act. Requires a public employer to, upon hire, provide each temporary employee with their job description, wage rates, and eligibility for benefits, anticipated length of employment, and procedures to apply for open, permanent positions. Requires complaints alleging a violation of its provisions to be processed as unfair practice charges under the act.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
\*\*\*\*\*To SENATE. (62-16)

**CSAC:**

oppose coalition to Asm Public Employment and Retirement

AB 1637

**AUTHOR:** Irwin [D]  
**TITLE:** Local Government: Internet Websites and Email Addresses  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/12/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Requires, no later than specified date, a local agency that maintains an internet website for use by the public to ensure that the internet website utilizes a .gov top-level domain or a .ca.gov second-level domain and requires a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a .gov or .ca.gov domain.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
\*\*\*\*\*To SENATE. (56-4)

**CSAC:**

oppose unless amended coalition to Asm Local Government

AB 1672

**AUTHOR:** Haney [D]  
**TITLE:** In-Home Supportive Services Employer-Employee Relations  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**

Expands the definition of public employer to include an employer who is subject to the In-Home Supportive Services Employer-Employee Relations Act, which the bill



would create. Establishes a method for resolving disputes regarding wages, benefits, and other terms and conditions of employment between the state and recognized employee organizations representing independent providers.

**STATUS:**

05/31/2023 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
\*\*\*\*\*To SENATE. (67-6)

SB 43

**AUTHOR:** Eggman [D]**TITLE:** Behavioral Health**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 12/05/2022**LAST AMEND:** 04/27/2023**DISPOSITION:** Pending**LOCATION:** Assembly Health Committee**SUMMARY:**

Relates to the Lanterman-Petris-Short Act, which provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled. Expands the definition of gravely disabled to include a condition in which a person, due to a mental health disorder or a substance use disorder, or both, is at substantial risk of serious harm, or is currently experiencing serious harm to their physical or mental health.

**STATUS:**

06/08/2023 To ASSEMBLY Committees on HEALTH and JUDICIARY.

**ATTACHMENTS** [SB 43 \(Eggman\) CBHDA Letter of Opposition 3.12.23](#)

SB 229

**AUTHOR:** Umberg [D]**TITLE:** Surplus Land: Disposal of Property: Violations**FISCAL** yes**COMMITTEE:****URGENCY** no**CLAUSE:****INTRODUCED:** 01/23/2023**LAST AMEND:** 02/23/2023**DISPOSITION:** Pending**LOCATION:** Assembly Local Government Committee**SUMMARY:**

Requires a local agency that has received a notification of violation from the Department of Housing and Community Development to hold an open and public session to review and consider the substance of the notice of violation. Requires the local agency's governing body to provide prescribed notice no later than a certain number of days before the public session. Prohibits the local agency's governing body from taking final action to ratify the proposed disposal until a public session is held as required.

**STATUS:**  
05/26/2023 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMNENT.

**CSAC:**  
oppose unless amended coalition to Sen Gov and Finance

SB 272

**AUTHOR:** Laird [D]  
**TITLE:** Sea Level Rise: Planning and Adaptation  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 01/31/2023  
**LAST AMEND:** 06/06/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:**

Requires a local government lying, in whole or in part, within the coastal zone or within the jurisdiction of the San Francisco Bay Conservation and Development Commission to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission.

**STATUS:**

06/06/2023 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.  
06/06/2023 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

**BOS:** Support

SB 287

**AUTHOR:** Skinner [D]  
**TITLE:** Features that Harm Child Users: Civil Penalty  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/02/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**FILE:** A-14  
**LOCATION:** Senate Inactive File

**SUMMARY:**

Prohibits a social media platform from using a design, algorithm or feature that the platform knows, or which by the exercise of reasonable care should have known, causes child users, as defined to do any of certain things, including experience

addiction to the social media platform. Subjects a social media platform that knowingly and willfully violates these provisions to a civil penalty and an award of litigation costs and attorney's fees in an action brought only by certain public attorneys.

**STATUS:**

05/31/2023 In SENATE. From third reading. To Inactive File.

**BOS:** Support

**ATTACHMENTS** [SB 287 \(Skinner\) social media--SUPPORT to Judiciary](#)

SB 408

**AUTHOR:** Ashby [D]

**TITLE:** Foster Youth with Complex Needs: Regional Health Teams

**FISCAL** yes

**COMMITTEE:**

**URGENCY** no

**CLAUSE:**

**INTRODUCED:** 02/09/2023

**LAST AMEND:** 05/18/2023

**DISPOSITION:** Pending

**LOCATION:** Assembly Human Services Committee

**SUMMARY:**

Provides for the placement of foster youth in various placement settings, and governs the provision of child welfare services, which is defined to mean public social services that are directed toward the accomplishment of specified purposes, including protecting and promoting the welfare of all children, preventing the unnecessary separation of children from their families, and restoring to their families children who have been removed.

**STATUS:**

06/01/2023 To ASSEMBLY Committees on HUMAN SERVICES and HEALTH.

**BOS:** Support

**ATTACHMENTS** [SB 408 Foster Youth with Complex Needs--SUPPORT Sen Health](#)

SB 410

**AUTHOR:** Becker [D]

**TITLE:** Powering Up Californians Act

**FISCAL** yes

**COMMITTEE:**

**URGENCY** no

**CLAUSE:**

**INTRODUCED:** 02/09/2023

**LAST AMEND:** 05/18/2023

**DISPOSITION:** Pending

**COMMITTEE:** Assembly Utilities and Energy Committee

**HEARING:** 06/28/2023 1:30 pm

**SUMMARY:**

Provides for the Powering Up Californians Act. Requires an electrical corporation to

consider, in its annual distribution planning process, certain standards, plans, regulations, policies, and requirements.

**STATUS:**

06/01/2023 To ASSEMBLY Committee on UTILITIES AND ENERGY.

SB 411

**AUTHOR:** Portantino [D]  
**TITLE:** Open Meetings: Teleconferences: Neighborhood Councils  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** yes  
**CLAUSE:**  
**INTRODUCED:** 02/09/2023  
**LAST AMEND:** 04/24/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Authorizes an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, if the city council has adopted an authorizing resolution and a specified fraction of an eligible legislative body votes to use the alternate teleconferencing provisions. Requires an eligible legislative body authorized to provide publicly accessible physical locations for public participation.

**STATUS:**

05/26/2023 To ASSEMBLY Committee on LOCAL GOVERNMENT.

SB 423

**AUTHOR:** Wiener [D]  
**TITLE:** Land Use: Streamlined Housing Approvals: Multifamily  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/13/2023  
**LAST AMEND:** 05/23/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Housing and Community Development Committee  
**SUMMARY:**

Requires approval if a local government's planning director or equivalent position determines the development is consistent with the objective planning standards. Requires all departments of the local government that are required to issue an approval of the development prior to the granting of an entitlement to also comply with the described streamlined approval requirements within specified time periods.

**STATUS:**

06/08/2023 To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and NATURAL RESOURCES.

**SB 511**

**AUTHOR:** Blakespear [D]  
**TITLE:** Greenhouse Gas Emissions Inventories  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/14/2023  
**LAST AMEND:** 04/24/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:**

Provides that the California Global Warming Solutions Act requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan. Requires the Board to develop, and publish on its website, a report on greenhouse gas emissions inventories for the specified calendar year for each city, county, or city and county that requests inclusion in the report.

**STATUS:**

06/01/2023 To ASSEMBLY Committee on NATURAL RESOURCES.

**Commentary001:**

Our SPONSORED bill

**ATTACHMENTS** [SB 511 \(Blakespear\) GHG Emissions Inventories-SUPPORT to Sen EQ Sponsor letter](#)

## SB 525

**AUTHOR:** Durazo [D]  
**TITLE:** Minimum Wage: Health Care Workers  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/14/2023  
**LAST AMEND:** 05/25/2023  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY  
**SUMMARY:**

Requires a health care worker minimum wage of a specified amount per hour for hours worked in covered health care employment. Requires a health care minimum wage of a specified amount per hour for hours worked in covered health care employment subject to adjustment. Provides that the health care worker minimum wage constitutes the State minimum wage for covered health care employment for all purposes under the Labor Code and the Wage Orders of the Industrial Welfare Commission.

**STATUS:**

05/31/2023 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (21-11)

**CSAC:**

oppose with UCC/RCRC to Sen Labor, Public Employment and Retirement

SB 537

**AUTHOR:** Becker [D]  
**TITLE:** Open Meetings: Multijurisdictional  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** yes  
**CLAUSE:**  
**INTRODUCED:** 02/14/2023  
**LAST AMEND:** 04/24/2023  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY

**SUMMARY:**

Relates to law that authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member. Provides that these circumstances include if a member shows just cause. Expands the circumstances of just cause to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.

**STATUS:**

05/30/2023 In SENATE. Read third time, urgency clause adopted. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (32-8)

SB 551

**AUTHOR:** Portantino [D]  
**TITLE:** Mental Health Boards  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/15/2023  
**LAST AMEND:** 05/01/2023  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Health Committee  
**HEARING:** 06/13/2023 1:30 pm

**SUMMARY:**

Provides that existing law requires each community mental health service to have a mental health board, and requires a member of the board to abstain from voting on any issue in which the member has a financial interest. Requires one member of the board to be employed by a local educational agency and at least one member to be of a specified age or younger in counties with a population fewer than a specified number, but more than a specified number.

**STATUS:**

06/01/2023 To ASSEMBLY Committee on HEALTH.

**CSAC:**

oppose with UCC/RCRC to Sen Health

SB 564      **AUTHOR:**            Laird [D]  
**TITLE:**                    Sheriffs and Marshals: Fees  
**FISCAL**                    no  
**COMMITTEE:**  
**URGENCY**                no  
**CLAUSE:**  
**INTRODUCED:**        02/15/2023  
**LAST AMEND:**        03/20/2023  
**DISPOSITION:**        Pending  
**FILE:**                    27  
**LOCATION:**              Assembly Third Reading File  
**SUMMARY:**  
Requires the Legislature to provide for an elected county sheriff and provides for the duties of the sheriff. Relates to law that prescribes fees for serving, executing, and processing required court notices, writs, orders, and other services provided by sheriffs and marshals. Increases the fees for services provided by sheriffs and marshals.  
**STATUS:**  
06/07/2023                In ASSEMBLY. Read second time. To third reading.  
**CSAC:**  
support to Senate Floor

SB 577      **AUTHOR:**            Hurtado [D]  
**TITLE:**                    California Fire Service Training and Education Program  
**FISCAL**                    yes  
**COMMITTEE:**  
**URGENCY**                no  
**CLAUSE:**  
**INTRODUCED:**        02/15/2023  
**DISPOSITION:**        Pending  
**LOCATION:**              Assembly Emergency Management Committee  
**SUMMARY:**  
Authorizes the State Fire Marshal to establish and collect the admission fees and other fees associated with the California Fire Service Training and Education Program, and to establish the fees to implement the California Fire and Arson Training Act, only to the extent that state appropriations and other funding sources are insufficient to cover the necessary costs of the activities eligible to be paid from those fees.  
**STATUS:**  
06/08/2023                To ASSEMBLY Committee on EMERGENCY  
MANAGEMENT.

SB 584      **AUTHOR:**            Limon [D]  
**TITLE:**                    Laborforce Housing: Short-Term Rental Tax Law  
**FISCAL**                    yes

**COMMITTEE:**  
**URGENCY** yes  
**CLAUSE:**  
**INTRODUCED:** 02/15/2023  
**LAST AMEND:** 05/18/2023  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY  
**SUMMARY:**

Enacts the Laborforce Housing Financing Act of 2023. Establishes the Laborforce Housing Fund in the State Treasury and makes moneys in the fund available to the Department of Housing and Community Development, upon appropriation by the Legislature, for the creation of laborforce housing and other specified housing projects by public entities, local housing authorities, and mission-driven nonprofit housing providers.

**STATUS:**  
05/31/2023 In SENATE. Read third time, urgency clause adopted. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (27-11)

SB 642

**AUTHOR:** Cortese [D]  
**TITLE:** Hazardous Materials: Enforcement: County Counsel  
**FISCAL** no  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Environmental Safety and Toxic Materials Committee  
**HEARING:** 06/20/2023 1:30 pm

**SUMMARY:**  
Authorizes the county counsel to bring an action seeking to enjoin a violation of laws and regulations governing the generation, transportation, and disposal of hazardous materials. Specifies that county counsel, at the request of the Department of Toxic Substances Control or a unified program agency, is authorized to bring a civil action in the name of the people of the State to enforce laws and regulations governing the generation, transportation, and disposal of hazardous materials.

**STATUS:**  
05/18/2023 To ASSEMBLY Committees on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS and JUDICIARY.

**CSAC:**  
co-sponsoring with Santa Clara

SB 654

**AUTHOR:** Jones [R]  
**TITLE:** Local Agencies: Public Property: Airport Leases  
**FISCAL** no  
**COMMITTEE:**



**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 04/13/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Local Government Committee  
**SUMMARY:**

Relates to law that authorizes a local agency to lease or sublease property owned, leased, or otherwise controlled by it for a period not to exceed 50 years for airport purposes or purposes incidental to aircraft. Authorizes a local agency and the leaseholder, with respect to a lease or sublease entered into, to amend the lease or sublease to extend the duration of the lease or sublease, to terminate the lease or sublease and enter into a new lease or sublease, or to transfer an existing lease or sublease.

**STATUS:**  
05/04/2023 To ASSEMBLY Committee on LOCAL GOVERNMENT.

SB 687

**AUTHOR:** Eggman [D]  
**TITLE:** Water Quality Control Plan: Delta Conveyance Project  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 05/02/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee  
**SUMMARY:**

Requires the State Water Resources Control Board to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary before the board may consider a change in point diversion or any other water rights permit or order for the Delta Conveyance Project. Provides that these provisions do not constitute an authorization for or approval of funding for the Project or any other project that includes isolated Delta conveyance facilities.

**STATUS:**  
05/18/2023 In SENATE Committee on APPROPRIATIONS: Held in committee.

SB 706

**AUTHOR:** Caballero [D]  
**TITLE:** Public Contracts: Progressive Design-Build  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 04/10/2023

**DISPOSITION:** Pending  
**COMMITTEE:** Assembly Local Government Committee  
**HEARING:** 06/21/2023 1:30 pm  
**SUMMARY:**  
 Authorizes all cities, counties, city and counties, or special districts to use the progressive design-build process for other projects in addition to water-related projects and extends these provisions until specified date.  
**STATUS:**  
 05/04/2023 To ASSEMBLY Committee on LOCAL GOVERNMENT.  
**CSAC:**  
 support with DBIA/Cal Cities to Senate Floor

SB 717

**AUTHOR:** Stern [D]  
**TITLE:** County Mental Health Services  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Health Committee  
**SUMMARY:**  
 Requires a County Behavioral Health Department to maintain contact for 180 days with, and offer mental health services to, an individual charged with a misdemeanor who has been found incompetent to stand trial and who is not receiving court directed services.  
**STATUS:**  
 06/08/2023 To ASSEMBLY Committee on HEALTH.

SB 720

**AUTHOR:** Stern [D]  
**TITLE:** Airports: Report: Emissions  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/16/2023  
**LAST AMEND:** 05/02/2023  
**DISPOSITION:** Pending  
**LOCATION:** ASSEMBLY  
**SUMMARY:**  
 Relates to the State Aeronautics Act. Requires, as part of an update to its general plan or sustainability plan, or if no plan exists, on or before specified date, each public or private airport that has more than a specified number of annual takeoffs in a disadvantaged community to report to the State Air Resources Board the regulations, incentives, or other measures the airport is deploying or facilitating to achieve net zero greenhouse gas emissions from its operations.

**STATUS:**  
05/30/2023 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (30-8)

SB 766

**AUTHOR:** Eggman [D]  
**TITLE:** Social Workers  
**FISCAL** yes  
**COMMITTEE:**  
**URGENCY** no  
**CLAUSE:**  
**INTRODUCED:** 02/17/2023  
**LAST AMEND:** 03/20/2023  
**DISPOSITION:** Pending  
**LOCATION:** Senate Appropriations Committee

**SUMMARY:**

Prohibits an individual from representing themselves as a social worker, unless they possess certain academic qualifications. Applies that prohibition to an individual employed by a governmental entity, certain academic institutions, an institution that is both nonprofit and charitable, and other individuals.

**STATUS:**  
05/18/2023 In SENATE Committee on APPROPRIATIONS. Held under submission and made a Two-year bill.

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