

South Bay Cities Council of Governments

July 10, 2023

TO: SBCCOG Steering Committee

FROM: Jacki Bacharach, Executive Director
David Leger, Senior Project Manager

RE: Bills to Monitor – Status as of June 29, 2023

NOTE: **BOLD recommendation & status** indicates bill added since last Board meeting

BROADBAND			
AB 41 (Holden)	<p>Telecommunications: The Digital Equity in Video Franchising Act of 2023. This bill would revise and recast the Digital Infrastructure and Video Competition Act of 2006 to, among other things: (1) rename the act as the Digital Equity in Video Franchising Act of 2023; (2) expand the definition of video service to include video programming provided as part of, and via, a service that enables users to access content, information, email, or other services offered over the public internet; (3) provide that the act does not authorize the commission to regulate the rates of video services; (4) authorize the commission to exercise all authority, jurisdiction, and powers authorized to be exercised by a franchise authority pursuant to certain federal law; (5) require a franchise applicant to submit a description of the households that are known to be unserved in the video service area footprint that is proposed by the applicant; (6) revise the revenues excluded from the definition of “gross revenue” for purposes of calculating the franchise fee for a local jurisdiction; (7) establish a policy of the state that subscribers and potential subscribers of a state video franchiseholder should benefit from equal access, as defined, to service within the service area, as specified; (8) expand the prohibition on certain cable operators or video service providers from discriminating against, or denying access to service to, any group of potential residential subscribers to include</p>	<p>SUPPORT (3/13/23) (Ltr sent 5/8/23) LCC: SUPPORT</p>	<p>6/21/23 Referred to Senate Committees on Energy, Utilities, and Conveyance & Judiciary</p>

	discrimination or denial of equal access because of any rationale, rather than only because of the income of the residents in the local area in which the group resides; (9) repeal the maximum amount of a fine that could be assessed for a violation of the equal access requirement; and (10) authorize the commission to enforce customer standards and conditions.		
ENVIRONMENT			
AB 45 (Boerner Horvath)	Coastal resources: coastal development permits: blue carbon demonstration projects: new development: greenhouse gas emissions. This bill would authorize the Coastal Commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.	SUPPORT (3/13/23) (Ltr sent 5/8/23) LCC: WATCH	6/21/23 Senate Committee on Natural Resources and Water, hearing postponed
SB 49 (Becker)	Tax Incentives: solar canopies. This bill would provide an exemption from taxes for the sale and use of materials and supplies purchased to construct a qualified solar canopy project, as specified. This bill would require Caltrans, in coordination with the State Energy Resources Conservation and Development Commission and the CPUC, to develop a strategic plan to lease and license department-owned rights-of-way to public utilities or other entities to build and operate renewable energy generation facilities, energy storage facilities connected to renewable energy generation facilities, and electrical transmission facilities, as specified. This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, that no appropriation is made and state shall not reimburse any local agencies for the sales and use tax revenues lost by them pursuant to this bill.	MONITOR LCC: NEUTRAL	6/19/23 Referred to Assembly Committees on Taxation & Utilities and Energy
SB 233 (Skinner)	Electric vehicles and electric vehicle supply equipment: bidirectional capability. This bill would require EVs and EV chargers sold in California to have bidirectional capability by 2027	SUPPORT (5/25/23)	6/15/23 Referred to Assembly Committees on

	in order to enhance California’s electrical grid reliability and resilience.	LCC: WATCH	Transportation & Utilities and Energy
SB 511 (Blakespear)	Greenhouse gas emissions inventories. This bill would require the state board, before January 1, 2028, to develop and publish, on its internet website, a report on greenhouse gas emission inventories for the calendar year 2025 for each city, county, city and county, and special district, as provided. The bill would require the state board, consistent with the preparation of the updates to the scoping plan and before January 1, 2033, and every 5 years thereafter, to update the inventories for the subsequent calendar years, as specified. The bill would authorize the state board to solicit bids and enter into contracts for the development of the inventories. The bill would require the state board, before January 1, 2026, to establish a local government advisory committee to inform its development of the greenhouse gas emission inventories. The bill would allocate, upon appropriation by the Legislature, \$2,500,000 in the 2024–25 fiscal year for above-described purposes.	MONITOR LCC: SUPPORT	6/20/23 Referred to Assembly Committee on Natural Resources
HOMELESSNESS			
AB 67 (Muratsuchi)	Homeless Courts Pilot Program. This bill, upon an appropriation by the Legislature, would create the Homeless Courts Pilot Program, which would remain in effect until January 1, 2029, to be administered by the Judicial Council for the purpose of providing comprehensive community-based services to achieve stabilization for, and address the specific legal needs of, chronically homeless individuals who are involved with the criminal justice system. The bill would require programs 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 infraction or misdemeanor charges dismissed upon completion of a program, provision of supportive housing, as defined, during the duration of the program, and a dedicated county representative to assist defendants with housing needs. The bill would require an applicant for grant funding under the program to submit a plan for a new homeless court program or expansion of an existing	SUPPORT (3/13/23) (Ltr sent 5/8/23) LCC: PENDING SUPPORT	6/14/23 Referred to Senate Committee on Public Safety

	homeless court program, and would require any funding awarded to an applicant to be used in accordance with that plan. The bill would also require the Judicial Council, on or before July 1, 2027, to submit a report to the Legislature evaluating the programs funded and the success and challenges of those programs, along with recommendations for improving the programs. The bill would require the Judicial Council to establish performance-based outcome measures for each participating homeless court, including, among other things, information relating to the demographics of program participants, housing placements for all participants, and successful substance use disorder treatment rates.		
HOUSING			
AB 529 (Gabriel)	Adaptive reuse projects. The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other specified mandatory elements, a housing element. That law requires the Department of Housing and Community Development to determine whether the housing element is in substantial compliance with specified provisions of that law. Existing law, for award cycles commenced after July 1, 2021, awards a city, county, or city and county, that has adopted a housing element determined by the department to be in substantial compliance with specified provisions of the Planning and Zoning Law and that has been designated by the department as prohousing based upon their adoption of prohousing local policies, as specified, additional points in the scoring of program applications for housing and infrastructure programs pursuant to guidelines adopted by the department, as provided. This bill would add the expansion of adaptive reuse projects to the list of specified prohousing local policies.	MONITOR LCC: WATCH	6/14/23 Referred to Senate Committee on Housing
AB 1335 (Zbur)	Local Government: transportation planning and land use: sustainable communities strategy. This bill would require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units	OPPOSE UNLESS AMENDED (6/22/23)	6/22/23 Senate Committee on Transportation

	necessary to house all the population of the region over the course of the planning period of the regional transportation plan, and the total number of new housing units necessary to house the 8-year RHNA projection.	LCC: PENDING	
AB 1485 (Haney)	Housing element: enforcement: Attorney General. This bill would permit both the Department of Housing and Community Development and the office of the Attorney General to intervene as a matter of unconditional right in any legal action addressing a violation of the Planning and Zoning Law including, among others, the Housing Accountability Act, the Density Bonus Law, and the Housing Crisis Act of 2019.	OPPOSE (4/27/23) (Ltr sent 5/8/23) LCC: PENDING	6/21/23 Senate Committees on Housing & Judiciary
AB 1633 (Ting)	Housing Accountability Act: disapprovals: California Environmental Quality Act. Existing law, the Housing Accountability Act, prohibits a local agency from disapproving a housing development project, as described, unless it makes certain written findings based on a preponderance of the evidence in the record. The act defines “disapprove the housing development project” as including any instance in which a local agency either votes and disapproves a proposed housing development project application, including any required land use approvals or entitlements necessary for the issuance of a building permit, or fails to comply with specified time periods. Existing law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if the lead agency finds that the project will not have that effect. This bill would define “disapprove the housing development project” as also including any instance in which a local agency fails to issue a project an exemption from CEQA for which it is eligible, as described, or fails to adopt a negative declaration or addendum for the project, to certify an environmental impact report for the project, or to approve another comparable environmental document, if certain conditions are satisfied. Among other conditions, the bill would require a housing development project subject to these provisions to be located	MONITOR LCC: WATCH	6/21/23 Senate Committees on Housing & Environmental Quality

	within an urbanized area, as defined, and meet or exceed 15 dwelling units per acre. By imposing additional duties on local officials, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws. (Based on text date 2/17/2023)		
SB 4 (Wiener)	Planning and zoning: housing development: higher education institutions and religious institutions. This measure would require that a housing development project be a use by right on any land owned by an independent institution of higher education or religious institution if the development satisfies specified criteria. Specified criteria: 1) Must comply with all objective development standards of the city that are not in conflict with the bill. 2) Can't be located on farmland, wetlands, important habitat, VHFHSZ, hazardous waste site, flood zones, etc. 3) Limitations on demolishing existing residential housing. 4) Must contain 100% affordable units, expect 20% can be moderate income. 5) Allows for greater density and height in some zones. 6) Limits parking requirements.	OPPOSE (6/22/23) LCC: SUPPORT IF AMENDED	6/8/23 Referred to Assembly Committees on Housing and Community Development & Natural Resources
SB 423 (Wiener)	Land use: streamlined housing approvals: multifamily housing developments. SB 35 (Wiener, 2017) allowed for a developer to submit a development application that is subject to streamlined ministerial approval, and not subject to a conditional use permit if it contains two or more residential units and satisfies specified objective planning standards. SB 35 sunsets January 1, 2026. This bill would eliminate the sunset; authorizes SB 35 to apply in the coastal zone; authorizes the Department of General Services, at its discretion, to act in the place of a locality for development on property owned by or leased to the State; prohibits a city from enforcing its own inclusionary housing ordinance if the income limits are higher than those in SB 35.	OPPOSE (4/27/23) (Ltr sent 5/8/23) LCC: OPPOSE	6/19/23 Assembly Committees on Housing and Community Development & Natural Resources
TRANSPORTATION			
AB 6 (Friedman)	Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions. This bill would require CARB, after January 1, 2024, and not later than September 30, 2026, to establish additional GHG emission reduction targets for 2035 and	MONITOR LCC: WATCH	6/14/23 Referred to Senate Committees on Transportation & Environmental Quality

	<p>2045. This bill would require a MPO, at least 60 days before starting the public participation process on its sustainable communities strategy (SCS), to submit to CARB for approval, a description of the technical methodology it intends to use to estimate the emissions of GHG from its SCS, and if appropriate, its alternative planning strategy. It would further require, rather than encourage, a MPO to work with CARB until CARB concludes that the technical methodology operates accurately and approves its use. This bill would require a MPO, within 120 business days after adoption, to submit an adopted SCS or alternative planning strategy, to CARB for both review and approval. The bill would require CARB's review include acceptance or rejection of the MPO's determination, and would require CARB to complete its review within 180 business days (instead of 60 currently). This bill would require each project nomination to the Solutions for Congested Corridors Program to demonstrate how the project would contribute to achieving the state's greenhouse gas emission reduction targets.</p>		
<p>AB 7 (Friedman)</p>	<p>Transportation: project selection process. This bill would require the California Transportation Plan to also include an analysis of how the Transportation Agency, Caltrans, and CTC are achieving principles outlined in the Climate Action Plan for Transportation Infrastructure, federal IIJA, and the federal Justice40 initiative. The analysis shall include a list of example projects completed under each program; how the program advances priorities in each; and the percentage of program funds that benefit disadvantaged communities. On or after January 1, 2025, the Transportation Agency, Caltrans, and CTC shall incorporate into their existing program funding guidelines and planning processes the following principles: a) Building toward an integrated, statewide rail and transit network, centered around the existing California State Rail Plan, that leverages the California Integrated Travel Project to provide seamless, affordable, multimodal travel options in all contexts, including suburban and rural settings, to all users; b) Investing in networks of safe and accessible bicycle and pedestrian infrastructure, particularly by closing gaps on portions of the state highway system that</p>	<p>MONITOR</p> <p>OPPOSE (3/13/23)</p> <p>LCC: WATCH</p>	<p>6/28/23 Senate Committee on Transportation</p>

	<p>intersect local active transportation and transit networks or serve as small town or rural main streets, with a focus on investments in low-income and disadvantaged communities throughout the state; c) Including investments in light-, medium-, and heavy-duty ZEV infrastructure as part of larger transportation projects. Supporting the innovation in and development of the ZEV market and help ensure ZEVs are accessible to all, particularly those in more rural/remote communities; d) Strengthening our commitment to social and racial equity by reducing public health and economic harms and maximizing community benefits to disproportionately impacted disadvantaged communities, low-income communities, and Black, Indigenous, and People of Color (BIPOC) communities in urbanized and rural regions, and involving these communities early in decisionmaking. Investments should also avoid placing new or exacerbating existing burdens on these communities, even if unintentional; e) Making safety improvements to reduce fatalities and severe injuries of all users towards zero on our roadways, railways, and transit systems by focusing on context-appropriate speeds, prioritizing vulnerable user safety to support mode shift, designing roadways to accommodate for potential human error and injury tolerances, and ultimately implementing a safe systems approach; f) Assessing physical climate risk as standard practice for transportation infrastructure projects to enable informed decisionmaking, especially in communities that are most vulnerable to climate-related health and safety risks; g) Promoting projects that do not significantly increase passenger vehicle travel, particularly in congested urbanized settings where other mobility options can be provided and where projects are shown to induce significant auto travel. These projects should generally aim to reduce vehicle miles traveled (VMT) and not induce significant VMT growth. When addressing congestion, consider alternatives to highway capacity expansion, such as providing multimodal options in the corridor, employing pricing strategies, and using technology to optimize operations; h) Promoting compact infill development while protecting residents and businesses from displacement by funding transportation projects that support housing for low-income residents near job centers, provide</p>		
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	walkable communities, and address affordability to reduce the housing-transportation cost burden and auto trips; i) Developing a zero-emission freight transportation system that avoids and mitigates environmental justice impacts, reduces criteria and toxic air pollutants, improves freight’s economic competitiveness and efficiency, and integrates multimodal design and planning into infrastructure development on freight corridors; j) Protecting natural and working lands from conversion to more intensified uses and enhance biodiversity by supporting local and regional conservation planning that focuses development where it already exists and aligns transportation investments with conservation priorities to reduce transportation’s impact on the natural environment.		
AB 241 (Reyes)	Clean Transportation Program. This bill would extend the sunset date of a 2008 smog abatement fees to January 1, 2035 (from January 1, 2024) to continue funding the Air Quality Improvement Fund and the Alternative and Renewable Fuel and Vehicle Technology Fund. This bill would require the Clean Transportation Program’s investment plan to support annually increasing deployment of infrastructure and other projects that advance or support the deployment of light, medium, and heavy duty vehicles. This bill would require on or after January 1, 2025 that at least 50% of Clean Transportation Program funds for projects and programs directly benefit or serve residents of disadvantaged and low-income communities and low-income Californians, and at least 50% for tangible location-based investments shall be expended in disadvantaged and low-income communities.	MONITOR LCC: WATCH	6/26/23 Assembly Committee on Appropriations, ordered to third reading
AB 413 (Lee)	Vehicles: stopping, standing, and parking. This bill would prohibit stopping, standing, or parking a vehicle within 20ft of any unmarked or marked crosswalk.	OPPOSE (5/25/23) LCC: WATCH	6/22/23 Senate Committee on Transportation
AB 1176 (Zbur)	General Plans: Local Electrification Planning Act. This bill would require cities and local jurisdictions to create plans to meet their transportation and building electrification needs, and to ensure that electric vehicle chargers and building electrification are accessible to renters, multi-family housing residents,	MONITOR LCC: WATCH	6/28/23 Senate Committees on Governance and Finance & Energy, Utilities & Conveyance

	commercial vehicle and truck fleets, and disadvantaged communities. The bill requires consideration of and planning for on-street electric vehicle charger corridors and electrification funding strategies for disadvantaged communities.		
AB 1447 (Flora)	Vehicles: motorized scooters. This bill would classify motorized scooters into 2 classes. A class 1 motorized scooter would have a floorboard and a motor that ceases to provide power when the scooter reaches 15mph, a class 2 motorized scooter would have a floorboard or a seat and footrests, a wheel width of at least 6 inches, and a motor that ceases to provide power at 20mph, and may have headlights, turn signals, a speedometer, and brake and tail lights. The bill would prohibit an operator of a class 1 motorized scooter from operating the motorized scooter in excess of 15mph, a class 2 motorized scooter in excess of 20mph. This bill would also make provisions of the Three Feet for Safety Act applicable to a drive of a motor vehicle overtaking a motorized scooter.	MONITOR LCC: WATCH	6/7/23 Referred to Senate Committee on Transportation
SB 301 (Portantino)	Vehicular air pollution: Zero-Emission Aftermarket Conversion Project. This bill would require CARB to establish the Zero-Emission Aftermarket Conversion Project (ZACP) by allocating up to \$2,000,000 annually from the Clean Vehicle Rebate Project to provide an applicant who is a California resident with a rebate for an eligible vehicle that has been converted into a zero-emission vehicle. The bill would require the rebate issued pursuant to the ZACP to be limited to one per vehicle and have a value of up to \$2,000. The bill would also require the state board to establish guidelines for the program, as specified, and minimum eligibility criteria for an applicant to be eligible for the rebate. The bill would require that if any of the moneys allocated for this purpose are not expended by the end of each fiscal year, those moneys shall be repaid to the Clean Vehicle Rebate Project.	MONITOR LCC: WATCH	6/27/23 Referred to Assembly Committee on Appropriations

BALLOT MEASURES

21-0042A1	“The Taxpayer Protection and Government Accountability Act”. For new or increased state taxes currently enacted by two-	MONITOR	2/1/23
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	<p>thirds vote of Legislature, also requires statewide election and majority voter approval. Limits voters' ability to pass voter-proposed local special taxes by raising vote requirement to two-thirds. Eliminates voters' ability to advise how to spend revenues from proposed general tax on same ballot as the proposed tax. Expands definition of "taxes" to include certain regulatory fees, broadening application of tax approval requirements. Requires Legislature or local governing body set certain other fees. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Lower annual state and local revenues, potentially substantially lower, depending on future actions of the Legislature, local governing bodies, voters, and the courts.</p>	LCC: OPPOSE	Eligible for November 2024 statewide ballot
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Two-Year Bills

- AB 1588 (Broadband): Affordable Internet and Net Equality Act of 2023. (Support)
- AB 9 (Environment): Greenhouse gases: market-based compliance mechanism. (Monitor)
- AB 340 (Environment): California Environmental Quality Act: grounds for noncompliance. (Monitor)
- AB 1538 (Environment): Clean Energy Reliability Program. (Monitor)
- SB 12 (Environment): California Global Warming Solutions Act of 2006: emissions limit. (Support)
- SB 37 (Homelessness): Older Adults and Adults with Disabilities Housing Stability Act. (Monitor)
- AB 1035 (Housing): Mobilehome parks: rent caps. (Monitor)
- AB 1708 (Public Safety): Theft – Prop 47 revision. (Support)

2023 State Legislative Calendar

- July 14: Last day for policy committees to meet and report bills; Summer Recess begins upon adjournment of session provided Budget Bill has been passed.
- August 14: Legislature reconvenes from Summer Recess
- September 1: Last day for fiscal committees to meet and report bills to the Floor
- September 5-14: Floor session only. No committees, other than conference or rules committees, may meet for any purpose
- September 8: Last day to amend on the floor
- September 14: Last day for each house to pass bills. Interim study recess begins at the end of this day's session
- October 14: Last day for governor to sign or veto bills passed by the legislature on or before September 14 and in his possession after September 14