

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate  
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RE: 2019 August Update

DATE: September 3, 2019

The Legislature reconvened from Summer Recess on August 12th to complete their last month of the first year of the 2019-20 Legislative Session and will adjourn on September 13th. The most vocal issues at the Capitol is legislation surrounding vaccinations - SB 276 (Pan), which would increase state oversight of medical exemptions to mandatory vaccinations required for school entry and would standardize reporting of such exemptions, and SB 5 (Gonzalez), which would codify the 2018 California Supreme Court “Dynamex” decision that restricts when employers can classify workers as independent contractors and deny them benefits like overtime, sick leave and minimum wage. Many industries are seeking a last-minute exemption to the bill including companies such as Uber and Lyft, who have fought against classifying their drivers as employees.

AB 101, the trailer bill on homelessness funding was passed on July 31<sup>st</sup>. Before the compromise was made, the Senate and Assembly versions of the homelessness proposal were similar with the Governor’s homelessness framework outlined in the May Revision, but they both differed in the allocation of homelessness funding directly to counties. The compromise took place in AB 101, and was divided into the following allocation of funds, which were included in the 2019-20 Budget:

- \$190 million to continuums of care (40 percent cap and \$500,000 minimum)
- \$275 million to cities with a population greater than 300,000 (45 percent cap)
- \$175 million to counties (40 percent cap)

County applications will need to demonstrate how funding will complement the regional needs described in the continuum of care’s plan for a coordinated housing and service system that meets the needs of individuals, unaccompanied youth, and families experiencing homelessness. All applications will also need to demonstrate evidence of connection with the continuum of care’s coordinated entry system.

The County was in support of SB 96, the trailer bill that transitions the existing 9-1-1 system to a Next Generation 9-1-1 infrastructure and enacts the funding language. The state has an outdated 9-1-1 system that uses pre-Internet and pre-cellphone era technology, and is prone to failure, especially during major disasters. The change in the funding methodology will create a long-term, sustainable funding source for the 9-1-1 program. SB 96 was signed by the Governor on July 1<sup>st</sup>.

August 30th was the last day for fiscal committees to meet, the same day the Appropriations Committees held their Suspense File Hearings. Any legislation with a fiscal impact has either passed the Suspense File and went to the Floor or has died in Suspense. September 3<sup>rd</sup>-September 13<sup>th</sup> will be Floor Session only, which means that any legislation that did not pass through the second house and later concurred in the house of origin will become a two-year bill. The Legislation that will pass both houses of the Legislature will go to the Governor's Desk for his final action. The Governor will have until October 13<sup>th</sup> to sign or veto bills passed by the Legislature.

### Emergency Response

On July 12<sup>th</sup>, the Governor signed AB 1054 (Holden), which creates additional safety oversight and processes for utility infrastructure, recasts recovery of costs from wildfire damages to third-parties, and authorizes an electrical corporation and ratepayer jointly funded Wildfire Fund to address future related wildfire liabilities.

CSAC was in strong support of AB 1054, stating that the bill is a comprehensive package of policies that protects the rights of fire victims, creates additional safety and oversight measures for utilities and ensures utilities are held accountable for the safety of their systems. The bill addresses critical outstanding issues specific to safety, including the creation of a division within the California Public Utilities Commission (CPUC) to establish safety expertise and oversight of utilities, and to ensure for compliance with wildfire mitigation plans. The bill requires utilities to receive a safety certification that requires the establishment of a safety committee on the boards of directors of Investor-Owned Utilities (IOUs); links executive compensation to safety performance measures; and requires IOUs to create an aggregate \$5 billion safety and wildfire mitigation investment over a period of five years, without profit on such expenditures.

The Governor also signed AB 111 (Committee on Budget), which establishes the California Energy Infrastructure Safety Act and creates new governmental structures to carry out the Act, and AB 110 (Ting), which provides \$2 million to the Department of Finance to address expenses related to catastrophic wildfires, subject to reporting to the Joint Legislative Budget Committee. The Governor stated that, "I want to thank the Legislature for taking thoughtful and decisive action to move our state toward a safer, affordable and reliable energy future, provide certainty for wildfire victims and continue California's progress toward meeting our clean energy goals...The rise in catastrophic wildfires fueled by climate change is a direct threat to Californians. Strengthening our state's wildfire prevention, preparedness and mitigation efforts will continue to be a top priority for my administration and our work with the Legislature."

Governor Gavin Newsom's finance officials were formally opposing SB 290 (Dodd), a bill that has been backed by Insurance Commissioner Ricardo Lara, Treasurer Fiona Ma and the insurance industry that would have the state privately insure its disaster-response costs. The bill would authorize the Governor to purchase insurance, reinsurance, insurance linked securities or other related alternative risk-transfer products for the State of California to help mitigate against costs incurred by the state in response to a mudslide, wildfire or flood. The bill was held on the Assembly Appropriations Suspense File.

*There are still some outstanding wildfire bills left that could be of interest to the County, including:*

*SB 167 (Dodd):* This bill modifies the requirement in existing law that an electrical corporation include, as part of its statutorily required wildfire mitigation plan, protocols related to mitigating the public safety effects of disabling reclosers and deenergizing distribution lines. Specifically, this bill requires the protocols to include consideration of the public safety effects of disabling reclosers and deenergizing distribution lines on customers who receive medical baseline allowances. The bill is currently on the Assembly Floor.

*SB 182 (Jackson):* This bill would improve the local planning process and incorporates actionable data that can decrease fire risk to our community. The bill would, among other things, impose new planning requirements on local governments and require cities and counties to make specified findings on fire standards prior to permitting development in very high-risk fire areas. The County is in support. The bill passed the Assembly Appropriations Suspense File, and is on the Assembly Floor.

*SB 190 (Dodd):* This bill would require the Office of the State Fire Marshal to develop, in consultation with representatives from local, state, and federal fire services, local government, building officials, utility companies, the building industry, insurers and insurance research organizations, and the environmental community, a model defensible space program to be made available for use by a city, county, or city and county in the enforcement of the defensible space provisions. The bill passed the Assembly Appropriations Suspense File, and is on the Assembly Floor.

*SB 247 (Dodd):* This bill would require investor-owned utilities (IOUs) to comply with vegetation management requirements within their wildfire mitigation plans. This bill would require Cal FIRE to verify vegetation management work completed by the IOUs to confirm compliance with their submitted wildfire mitigation plans. The bill passed the Assembly Appropriations Suspense File, and is on the Assembly Floor.

*SB 560 (McGuire):* This bill would require IOUs and publicly owned utilities to include procedures for circuit by circuit level notification of a deenergization to first responders, health care facilities, and operators of telecommunications infrastructure in wildfire mitigation plans. In addition, the bill would also require mobile telephone service providers to coordinate with appropriate community stakeholders in the event of a deenergization. The bill is on the Assembly Floor.

*AB 1516 (Friedman):* This bill would improve defensible space and electrical transmission line vegetation clearance requirements in fire threat areas, and would help Cal Fire provide assistance with fuels management to counties in order to protect against future devastating wildfires. The bill passed the Senate Appropriations Suspense File, and is on the Senate Floor.

### Housing/Homelessness

On May 21<sup>st</sup>, Governor Gavin Newsom announced the formation of the Homeless and Supportive Housing Advisory Task Force and its co-chairs Sacramento Mayor Darrell Steinberg and Los Angeles County Supervisor Mark Ridley-Thomas. The goal of the taskforce is to meet

throughout the year in cities and counties around the state to observe best practices first-hand and receive input from governments and constituents statewide to propose solutions to address the homelessness epidemic. The first meeting of the Governor’s Task Force is scheduled for September 6th in Stanislaus County. The Task Force will deliver at least one annual report to the Governor on the work it performed to guide the creation of joint regional plans to address homelessness, including highlighting best practices and model programs at the local level. CSAC has also set up their Homelessness Action Team and is conducting meetings complimentary to the Governor’s Task Force.

On August 7<sup>th</sup>, the Governor announced a proposal to create a new permanent fund that would provide legal assistance for struggling California renters and homeowners each year. AB 113 and SB 113 would provide \$311 million be transferred from the state’s general fund to a National Mortgage Special Deposit Trust Fund. Under the plan and with the Legislature’s approval, California would deposit the funds into a trust for nonprofits to provide legal aid for preventing foreclosures via borrower relief and assisting housing counselors or other legal aid agencies that represent renters in housing-related matters. The Governor stated in his press release that, “Families facing eviction and foreclosure should know their rights and have legal advocates who can fight on their behalf – especially at this moment when Californians are grappling with sky-high rents and huge housing costs...This proposal builds on the investments made in the budget to provide legal assistance to renters and carries forward the important work that Senator Kamala Harris and Congresswoman Katie Porter undertook during the National Mortgage Settlement, a process that provided relief and legal assistance to struggling California homeowners. I look forward to working with the Legislature to move these important protections forward.”

### State Budget

Governor Gavin Newsom submitted his 2019-20 “California for All” budget proposal to the Legislature on January 10<sup>th</sup> which proposed \$144 billion in state General Fund expenditures. The total proposal, including money earmarked for special purpose funds topped \$209 billion.

The May Revise came out on May 9<sup>th</sup>, with an overall budget of \$214 billion. Governor Newsom stated that the budget prioritizes savings for a rainy day – putting a record amount into the state’s reserves and making billions in fiscal pay downs of pension debt and one-time investments aimed at tackling the main issues driving California’s affordability crisis. On June 13<sup>th</sup>, the Legislature passed the 2019-20 Budget Act. The Budget Bill – AB 74 (Ting) was signed on June 27<sup>th</sup>.

#### *Highlights in the State Budget/Trailer Bills include:*

##### *State Emergency Telephone Number Account (SETNA) and 9-1-1 – SB 96*

The County was in support of SB 96, the trailer bill that transitions the existing 9-1-1 system to a Next Generation 9-1-1 infrastructure and enact funding language. The state has an outdated 9-1-1 system that uses pre-Internet and pre-cellphone era technology, and is prone to failure, especially during major disasters. During the recent wildfires, dispatch centers were unable to receive 9-1-1 calls and California’s antiquated, analog microwave network must be upgraded to a digital network to maintain safety operations when the public needs it the most. This change in the funding methodology will create a long-term, sustainable funding source for the 9-1-1 program

in California and allows for the build-out of the Next Generation 9-1-1 system. SB 96 was signed by the Governor on July 1<sup>st</sup>.

#### *Cannabis Trailer Bill – AB 97*

AB 97 extends the repeal date for the provisional license provisions to January 1, 2022, and modify the applicant requirements to provide evidence of compliance with local ordinances, which in return will help allow some flexibility for individuals and businesses who are actively pursuing an annual license without removing any local jurisdiction. AB 97 was signed by the Governor on July 1, 2019.

#### *Homelessness – AB 101*

The bill creates the Homeless Housing, Assistance, and Prevention Program to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing. The bill calls for the following allocation of funds included in the 2019-20 Budget:

- \$190 million to continuums of care (40 percent cap and \$500,000 minimum)
- \$275 million to cities with a population greater than 300,000 (45 percent cap)
- \$175 million to counties (40 percent cap)

Program funds may be used on:

- Rental assistance and rapid rehousing.
- Operating subsidies in new and existing affordable or supportive housing units, emergency shelters, and navigation centers. Operating subsidies may include operating reserves.
- Incentives to landlords, including, but not limited to, security deposits and holding fees.
- Outreach and coordination, which may include access to job programs, to assist vulnerable populations in accessing permanent housing and to promote housing stability in supportive housing.
- Systems support for activities necessary to create regional partnerships and maintain a homeless services and housing delivery system, particularly for vulnerable populations including families and homeless youth.
- Delivery of permanent housing and innovative housing solutions such as hotel and motel conversions.
- Prevention and shelter diversion to permanent housing.
- New navigation centers and emergency shelters based on demonstrated need.

#### *IHSS MOE Proposal – SB 80*

The Governor's proposal to revise the County IHSS Maintenance of Effort (MOE) was adopted by the Budget Conference Committee and is included in the Human Services omnibus budget trailer bill - SB 80. The Governor's May Revision continues his January Budget proposal to revise the County IHSS Maintenance of Effort (MOE). This includes lowering the County IHSS MOE base, reducing the inflation factor to four percent, and stopping the redirection of 1991 Realignment VLF growth from the Health and Mental Health subaccounts to Social Services.

The County IHSS MOE will be rebased in 2019-20 down to \$1.56 billion. Based on updated Realignment projections and increased IHSS caseload and cost projections, this will require an increased General Fund commitment above the January projection. The increased General Fund costs for IHSS would be \$296.7 million in 2019-20, a \$55 million increase from January, and growing to \$615.3 million in 2022-23, which is a \$68 million increase above the January estimate. This represents a total increased General Fund commitment for IHSS of \$1.86 billion over the first four years of this new structure. SB 80 was signed on June 27, 2019.

CSAC is holding an IHSS Training on November 20<sup>th</sup>. The training will provide an opportunity for county and Public Authority staff to understand all the details on the IHSS provisions in SB 80, learn about the latest implementation updates, and engage with other counties, CSAC, CWDA, and CAPA on IHSS. Key topics will include the rebased IHSS MOE, county MOE amounts, IHSS administration funding, MOE adjustment provisions, and collective bargaining requirements.

#### *Continuum of Care Reform Group Home Extension*

SB 80 would allow for the Department of Social Services to grant an extension for group homes for one year beyond the December 31, 2019 deadline. The process outlined requires county child welfare departments to submit a written request and meet certain requirements.

#### *AB 85 and Medi-Cal Expansion for Undocumented Young Adults*

The Administration withdrew their proposal to change the AB 85 diversion ratio to 75/25 for Article 13 counties. The Governor's original plan was to change the AB 85 formula to pay for the expansion of Medi-Cal Coverage proposal, which would have redirected \$2.1 million dollars from the County's core Public Health services. In regard to the CMSP Board, the Governor will divert all 1991 Realignment funding until the Board spends down their reserves to two years' worth of operating costs, at which time the 60/40 ratio will be reinstated.

#### *Infectious Disease Prevention*

The Governor included a one-time \$40 million General Fund investment to support local health departments in meeting the rising communicable disease needs of their communities, and the Legislature approved the expenditure. Of the \$40 million, \$4 million will be retained by the state Department of Public Health for administration of the funding as well as local grants to counties. Also, \$1 million will be earmarked for Tribal health entities. The funding will be available in a lump sum in the budget year, but counties will have three years to spend it. This proposal was championed by the County Health Executives Association of California and the Health Officers Association of California. The County was in support of the Governor's May Revise Proposal.

#### *Investments in Emergency Readiness, Response and Recovery*

The Budget includes approximately \$184 million for emergency response. This includes funding for public safety power shutdowns; ongoing funding for the state's mutual aid system; additional funds to build a statewide public safety radio system; funding for the final phase of the build-out for the California Earthquake Early Warning System; and funding to support disaster preparedness efforts.

### *Payment at the Time of Placement*

The Legislature adopted and expanded upon the Governor's May Revision proposal related to emergency assistance payments to caregivers who are caring for children and nonminor dependents while awaiting approval as a resource family. The Governor proposed to extend the timeframe from three months to four months for these emergency assistance payments in 2019-20 and included \$21.7 million General Fund and federal Temporary Assistance for Needy Families (TANF) block grants in 2019-20 for this purpose. The Legislature included additional language in AB 80/SB 80 to allow for these payments to be extended for up to 365 days for good cause if the delay in resource family approval is outside of the county's control.

### *Foster Parent Recruitment, Retention, and Support*

The Legislature adopted the Governor's May Revision proposal for a one-time increase of \$21.6 million for Foster Parent Recruitment, Retention, and Support (FPRRS). This funding will help counties continue critical recruitment and retention efforts to build the capacity of caregivers and support the children and youth in their care.

### *CalWORKs Single Allocation*

The California Work Opportunity and Responsibility to Kids (CalWORKs) Single Allocation is funding provided by the state to counties to administer the CalWORKs program. The Legislature approved the Governor's May Revision proposal for an ongoing increase of \$41.4 million General Fund and federal TANF block grant funds. This reflects progress toward the adoption of a revised methodology to budget for the employment services component of the Single Allocation. The trailer bill requires the Department of Social Services to work with counties and CWDA to continue developing the budgeting methodology for the employment services component. The May Revision also proposed to separate the Stage One childcare component from the Single Allocation in 2019-20. The budget trailer bill will delay the separation of Stage One childcare from the Single Allocation until 2020-21.

### *Housing*

The Budget dedicates a total of \$750 million in one-time funding to local governments to increase housing production. It provides \$250 million for planning grants to help local jurisdictions work through the Regional Housing Needs Assessment 6th Cycle. It includes \$500 million for housing-related infrastructure. The Budget also expands CalHFA's mixed-income loan program and the state's Low Income Housing Tax Credit program. It appropriates \$500 million in one-time funding for the mixed income loan program. The Budget provides a one-time investment of \$500 million to expand the state's Low Income Housing Tax Credit program.

### *Judicial Branch*

The Budget includes increased funding for a variety of justice related priorities. First, the Budget invests a combination of federal reimbursements, which are estimated to be \$34 million, and \$20 million ongoing General Fund, totaling \$54 million, for dependency counsel. The total dependency counsel funding due to these augmentations will be \$190.7 million annually. The Budget additionally provides \$30.4 million General Fund in 2019-20, and \$36.5 million General Fund in 2020-21 and ongoing, to allocate 25 trial court judgeships. Finally, the Budget includes \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund

the implementation, operation, or evaluation of programs or efforts in 8 to 10 courts related to pretrial decision-making.

### *Cap & Trade Expenditure Plan*

The Budget includes a total of \$1.4 billion in Greenhouse Gas Reduction Fund (GGRF) also known as Cap-and-Trade spending, and include a compromise to fund clean drinking water programs, for a total of \$100 million, and \$26 million for short lived climate pollutants, a funding category critical for organic waste diversion and infrastructure. In addition, this year's GGRF plan also includes \$60 million to the Strategic Growth Council for the Transformative Climate Communities program. This program supports integrated, community-scale housing, transit-oriented development, and neighborhood projects that reduce emissions in some of the state's most disadvantaged areas. This year's expenditure plan also includes \$2 million to the Strategic Growth Council for technical assistance for disadvantaged communities.

### Cannabis and Public Banking

On the Legislative front, the County has an *opposed unless amended* position on SB 153 (Wilk), which would update California's provisions regulating cultivation and testing of industrial hemp to conform to new requirements for state plans under the federal Agriculture Marketing Act of 1946. The County believes that local governments retain plenary land use authority regarding industrial hemp under existing law, which establishes only limited state-level requirements, and does not occupy the field of hemp regulation. As the state rules become more comprehensive, local agencies may face arguments that these state laws and regulations preempt local control over industrial hemp. Strong local control language is consequently appropriate to avoid these disputes, and the expensive and unnecessary litigation that may ensue. Although the County's position hasn't changed, the supporters of SB 153 let the County know that since there have been federal changes to the Act, the bill will see more amendments. The bill passed Assembly Appropriations Suspense File, and is on the Assembly Floor.

*SB 51 (Hertzberg)* was amended on June 13<sup>th</sup>. SB 51 provides for the licensure and supervision of cannabis limited charter banks and credit unions authorized to offer limited depository services to cannabis businesses. The bill also restricts the activities of cannabis limited charter banks and credit unions to accepting deposits and issuing and redeeming special purpose checks and prohibits a cannabis limited charter bank or credit union from engaging in banking activity with any other financial institution that lacks a limited purpose charter. If approved by the Legislature, the bill will go into effect immediately. The bill passed Assembly Appropriations Suspense File, and is on the Assembly Floor.

*AB 286 (Bonta)* would temporarily reduce California's cannabis excise tax from 15 percent to 11 percent and suspend the cultivation tax altogether through 2022. The bill was held on the Assembly Appropriations Committee Suspense File and dead for the year.

*AB 857 (Chiu)* would authorize local agencies to form public banks, subject to approval by the Department of Business Oversight and the Federal Deposit Insurance Corporation. We heard that there are possible amendments to take credit unions off the bill. The bill passed the Senate Appropriations Suspense File, and is on the Senate Floor.

*AB 1356 (Ting)* would require that if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions must issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. AB 1356 would mandate that local communities issue retail cannabis permits in spite of clear and unambiguous promises to voters in the Control, Regulate, and Tax Adult Use of Marijuana Act (Proposition 64) that local communities would have the right to decide how and when to adopt local legal regulatory frameworks for adult use cannabis business. The County believes that AB 1356 would fundamentally erode local control as provided in Proposition 64, therefore is opposed to the bill. The bill is on the inactive file at the request of the Author.

*SB 67 (McGuire)* would extend a temporary cannabis licenses until September 15, 2019, issued by the California Department of Food and Agriculture if the temporary license holder submitted an application and fees for an annual license before the temporary license's expiration date. The County currently has 1,200 temporary license that will be expiring by September 15<sup>th</sup>, and has significant concerns that SB 67 (McGuire) would become a disincentive for applicants who have been following the rules up until this point. The bill passed the Senate Floor and was set to be heard in the Assembly Agriculture Committee on June 5<sup>th</sup>, but the bill was pulled out of the Committee and hasn't moved since. The County is opposed to the bill.

#### Bills of Interest to the County

*AB 56 (Garcia) Electricity: procurement by the California Alternative Energy and Advanced Transportation Financing Authority*

The bill would significantly expand the energy procurement ordering authority of the California Public Utilities Commission (CPUC) by granting the CPUC new powers that would scale back local control, complicate community efforts to ensure reliability, and create significant problems for local energy providers. On July 10<sup>th</sup> the bill did not receive enough votes to pass the Senate Energy, Utilities and Communications Committee and received reconsideration for next year, therefore the bill is a two-year bill. CalCCA and the County are in opposition to the bill.

*AB 138 (Bloom) California Community Health Fund*

The bill would impose a tax on every distributor, as defined, for distributing bottled sugary drinks and concentrate in this state, at a rate of \$0.02 per fluid ounce. The hearing was cancelled at the request of the author and became a two-year bill. The Author says he plans to pursue it again next year. The County is in support of the bill.

*AB 141 (Cooper) Trial Costs: Joseph James DeAngelo, Jr.*

AB 132 (Cooper) was amended into AB 141 (Cooper). Over a span of 14 years the Golden State Killer (GSK) was suspected of committing multiple murders, rapes, kidnappings, robberies and burglaries throughout California. Last year Joseph DeAngelo was arrested as the GSK suspect. The trial of the GSK is going to place an unexpected financial burden on the counties responsible for trying this case. AB 141 will provide some cost recovery to the district attorneys and public defenders responsible for the prosecution and defense of the GSK. The bill was held on the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*AB 245 (Muratsuchi) CA Aerospace and Aviation Commission: Establishment*

The bill would enact the California Aerospace and Aviation Act of 2019, which establishes the 17-member California Aerospace and Aviation Commission for serving as a central point of contact for related industries and supporting the health and competitiveness of these industries in California. The County is in support of this bill. The bill passed Assembly Floor, and then passed the Senate Business, Professions and Economic Development on June 17<sup>th</sup>. The bill was referred to the Senate Governmental Organization, but was never heard in the Committee, therefore is now a two-year bill.

*AB 255 (Limon) Coastal Resources: oil spills: grants*

The bill would include Native American tribes and other public entities to be eligible for grants authorized by the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. Existing law provides that the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act may offer spill response equipment grants to local governments with jurisdiction over waters of the state. The bill would clarify this existing grant program in the code and ensure this program continues to provide these specified grants to local government, Native American Tribes or other public entities that have jurisdiction over or are directly adjacent to waters of the state. The bill passed Senate Floor on Consent, and was signed by the Governor on July 12<sup>th</sup>. The County was in support of this bill.

*AB 388 (Limon) Alzheimer's disease*

The bill would require the Department of Public Health to implement the Healthy Brain Initiative action items, operate a pilot program, as specified, in up to eight local health jurisdictions, update the Legislature annually on specified activities, and report to the Legislature by January 1, 2023, an evaluation of the pilot program's community-based solutions and innovations. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of the bill.

*AB 398 (Chu) School accountability: local control and accountability plans: visual and performing arts*

The bill will help the State better understand the quality of and disparities in arts education by extending State data collection regarding course enrollment and completion to grades K-6, requiring that such data are analyzed at the state-level and that school districts emphasize the importance of visual and performing arts curricula in their local educational planning. The bill passed the Assembly Appropriations Committee and the Assembly Floor, but was not heard in the Senate Education Committee, therefore is now a two-year bill. The County is in support of the bill.

*AB 409 (Limon) Climate Change: agriculture: grant program*

This bill establishes the Agricultural Climate Adaption Tools Program. It establishes pilot projects in the Central Valley, Central Coast, and desert regions of the state, and requires trainings for technical assistance providers on how to use planning tools. The bill requires the Strategic Growth Council to make available, upon appropriation, \$2,000,000 to fund a grant program; and requires the council to provide the planning tools developed as part of this program to the Office of Planning and Research. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of the bill.

*AB 486 (Limon) Disaster preparedness: local government: animal wildfire evacuation plan*

The bill would, if a city or county requires a permit to keep an animal within its jurisdiction, require an animal owner as a condition for obtaining the permit to create and submit to the city or county an animal wildfire evacuation plan for any animal covered by the permit. By imposing a new duty on local government, this bill would impose a state-mandated local program. The bill was held on the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of the bill.

*AB 510 (Cooley) Local government records: destruction of records*

The bill would modernize the Government Code to allow local public agencies to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. The bill was referred to the Assembly Local Government Committee but was not heard and is now a two-year bill because it did not make the first policy deadline. The County is in support of the bill.

*AB 516 (Chiu) Authority to remove vehicles*

The bill would prevent lower-income Californians from permanently losing their cars because of towing conducted for non-public safety reasons by local governments seeking to collect minor debts. The bill was held on the Senate Appropriations Suspense File and became a two-year bill. The County is in support of this bill.

*AB 585 (Limon) Public Lands: oil, gas, and mineral leases*

The bill would authorize the State Lands Commission (Commission), when considering the approval of an assignment, transfer, or sublet of an oil and gas lease, to consider whether a proposed assignee is likely to comply with the provisions of the assigned, transferred, or sublet lease for the duration of the lease term. Additionally the bill will require a lessee, assignee, transferee, sublessee, or operator to submit to the commission, in writing, a notarized affidavit of liability for the decommissioning of production facilities and related infrastructure under the jurisdiction of the commission within six months after the date on which a lease terminates or expires, and require the lessee, assignee, transferee, sublessee, or operator to also covenant in the notarized affidavit, to commence the process of decommissioning the production facilities and related infrastructure within one year after the date on which the lease terminates or expires. The bill passed the Senate Floor with a 27-10 vote, and then was concurred in the Assembly. The bill was signed by the Governor on July 30<sup>th</sup>. The County was in support of the bill.

*AB 764 (Bonta) Sugar-sweetened beverages: non-sale distribution incentives*

This bill would prohibit a beverage company, manufacturer, or distributor, from giving or offering a distributor or retailer a non-sale distribution incentive for a sugar-sweetened beverage (SSB) or SSB product. The bill would state that these provisions do not preempt or prohibit the adoption and implementation of local ordinances related to promotional and marketing activities for sugar sweetened beverages that are consistent with these requirements, including ordinances that impose additional or more restrictive requirements on those activities. The bill passed out of the Assembly Appropriations Committee Suspense File and was not taken up on the Assembly Floor before deadline, therefore the bill is now a two-year bill. The County is in support of the bill.

*AB 765 (Wicks) Health Checkout Aisles for Healthy Families Act*

The bill would establish the California Healthy Checkout Aisles for Healthy Families Act, which prohibits stores from making available sugar sweetened beverages (SSBs) in the checkout area. The Assembly Health Committee hearing was cancelled at the request of the author and is now a two-year bill. The County is in support of the bill.

*AB 1057 (Limon) Oil and gas: wells and facilities: indemnity bonds and remediation: additional security: civil penalty*

This bill would authorize the Division of Oil, Gas, and Geothermal Resources Division (Division) to require further financial security in addition to the required indemnity bond amounts for an operator's well or wells to help ensure the state has the funds available to pay for plugging and abandonment if the well or wells are deserted by the operator, and also continue reform efforts at the Division. The bill passed the Senate Appropriations Committee Suspense File and is now on the Senate Floor. The County is in support of the bill.

*AB 1356 (Ting) Cannabis: local jurisdictions: retail commercial cannabis activity*

The bill would require that if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions must issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. AB 1356 would mandate that local communities issue retail cannabis permits in spite of clear and unambiguous promises to voters in the Control, Regulate, and Tax Adult Use of Marijuana Act (Proposition 64) that local communities would have the right to decide how and when to adopt local legal regulatory frameworks for adult use cannabis business. The County believes that AB 1356 would fundamentally erode local control as provided in Proposition 64, therefore is opposed to the bill. The bill passed out of the Assembly Appropriations Committee Suspense File but was not taken up on the Assembly Floor before deadline, and is on the inactive file.

*AB 1550 (Bonta) Crisis stabilization units: psychiatric patients*

The bill would authorize a crisis stabilization unit, at the discretion of a mental health plan (MHP), to provide medically necessary crisis stabilization services to individuals beyond 24 hours, but not more than 48 hours, when specified requirements are met. The bill passed the Senate Appropriations Committee Suspense File and is now on the Senate Floor. The County does not have a position.

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

ACA 1 is a constitutional amendment that would have made it easier for local governments to increase property taxes and would have asked voters to decide whether property tax increases for affordable housing and infrastructure could be approved by a 55% vote instead of two-thirds vote. ACA 1 failed to pass on the Assembly Floor with a vote of 44-20 on August 19th. As a proposed constitutional amendment, ACA 1 needed approval by two-thirds of the Assembly. The Author requested a motion to reconsider.

*SB 46 (Jackson) State government: emergency services*

This bill expands on last year's SB 821 (Jackson, Ch. 615, stats. 2018) by helping to ensure that more California residents will receive critical emergency alerts by expanding California's opt-out emergency notification program to include cities and universities, and by clarifying that

alerting authorities may use mobile telephone subscriber data to enroll residents in local alerting systems. The bill would also require a local government that enters into an agreement to access information of resident account holders to, upon receipt of that information, notify residents that they have been entered into the public emergency warning system, and require a local government that enters into an agreement to access information to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency's access to the contact information of the resident from a public utility. The bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*SB 50 (Wiener) Planning and zoning: housing development: incentives*

The bill would reduce or waive certain local zoning standards in jobs and transit-rich areas when development meets specified criteria. We understand there were going to be forthcoming amendments to the bill, that would exclude smaller counties, which would include the County of Santa Barbara in the category and therefore reduce the burden on the County, but the bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County currently does not have a position on the bill.

*SB 67 (McGuire) Cannabis: temporary licenses*

The bill would extend a temporary cannabis license until September 15, 2019, issued by the California Department of Food and Agriculture if the temporary license holder submitted an application and fees for an annual license before the temporary license's expiration date. The County currently has 1,200 temporary license that will be expiring by September 15<sup>th</sup>, and has significant concerns that SB 67 (McGuire) would become a disincentive for applicants who have been following the rules up until this point. The bill passed the Assembly Agriculture Committee on June 5<sup>th</sup>, and then was set to be heard in the Assembly Business and Profession Committee but was pulled from the Committee File, and hasn't moved since. The County is opposed to the bill.

*SB 144 (Mitchell) Fees: criminal administrative fees*

The bill would eliminate numerous criminal justice fees. Removal of specified fees for probation services alone, for example, would likely result in the loss of tens of millions of dollars in probation funding, funding that currently supports vital programs and practices as well as probation positions. The loss of positions would mean impacts on court related services we provide, an increase in caseload sizes, and impacts on evidence-based program delivery. In line with CSAC, the County is opposed to SB 144 (Mitchell), unless sustainable funding is provided to back-fill the loss of revenue resulting from eliminating counties' ability to charge criminal justice related fees and shifting a variety of costs from the offender to the counties. The bill passed the Senate Floor, but was pulled from the Assembly Public Safety Committee Hearing, and is now a two-year bill.

*SB 155 (Bradford) California Renewables Portfolio Standard Program: integrated resource plans*

The California Community Choice Association (CalCCA), adopted a position of neutral on SB 155, by Senator Steve Bradford, which would increase PUC enforcement authority in RPS and IRP filings of all load serving entities (LSEs). While CalCCA had originally opposed the bill,

amendments taken in the Assembly Committee on Natural Resources have addressed their main concerns, so they removed their “oppose, unless amended” position. The County followed CalCCA’s lead and is also neutral on the bill.

*The amendments remove the requirements of Section 454.52, that would allow the commission to enforce the requirement, that the integrated resource plan of each load-serving entity shall contribute to a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy resources in a cost-effective manner, meets the emissions reduction targets for greenhouse gases described in subparagraph (A) of paragraph (1) of subdivision (a) of Section 454.52, and prevents cost shifting among load-serving entities.*

*SB 160 (Jackson) Emergency Services: Cultural Competence*

The bill This bill requires each county to integrate cultural competency in the next update to its emergency plan. The bill requires each county to describe how all cultural populations within the county are served by emergency notifications, evacuations and sheltering, mitigation and prevention, and planning and preparedness, requires each county to host a community engagement forum in geographically diverse locations, and authorizes each county to form a community advisory board for the purpose of cohosting, coordinating and conducting community outreach for the engagement forums. The bill passed the Assembly Appropriations Committee Suspense File and is now on the Assembly Floor. The County is in support of this bill.

*SB 182 (Jackson) Local Government: planning and zoning: wildfires*

This bill would improve the local planning process and incorporates actionable data that can decrease fire risk to our community. The bill would, among other things, impose new planning requirements on local governments and require cities and counties to make specified findings on fire standards prior to permitting development in very high-risk fire areas. The County is in support. The bill passed the Assembly Appropriations Committee Suspense File and is now on the Assembly Floor.

*SB 224 (Grove) Grand theft: agricultural equipment*

This bill creates a separate grand theft statute for agricultural equipment and requires the proceeds of the fine imposed following a conviction of the new provision to be allocated to the Central Valley Rural Crime Prevention Program or the Central Coast Rural Crime Prevention Program. The County is in support of this bill. The bill passed the Assembly Floor with a 71-0 vote, and was signed by the Governor on July 12<sup>th</sup>. The County was in support of this bill.

*SB 276 (Pan) Immunizations: Medical Exemptions*

This bill increases state oversight of medical exemptions to mandatory vaccinations required for school entry and standardizes reporting of such exemptions. The County is in support of the bill. The bill passed the Assembly Appropriations Committee Suspense File and is now on the Assembly Floor.

*SB 346 (Jackson) After school programs: Distinguished After School Health Recognition Program Reauthorization*

The bill reestablishes the Distinguished After School Health (DASH) Recognition Program, a certification for on school-site after school youth programs that meet specific healthy eating and physical activity standards that have been determined to help children lead healthier, more productive lives. Through DASH certification, these youth programs are recognized for having program curriculum that match the DASH standards for nutrition and physical activity for youth. Before it sunsetted in 2018, over 200 after school programs in California were recognized for meeting the DASH standards. The bill was held in the Assembly Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

*SB 528 (Hueso) California Infrastructure and Economic Development Bank*

The bill would establish a task force to examine whether the California Infrastructure and Economic Development Bank could become a bank that not only makes loans but could also receive deposits. Becoming a full-service bank may allow government agencies to achieve reduced bank fees and reduced borrowing costs compared to commercial banks. The Board believes that an alternative to commercial banks ought to be studied, and if the I-Bank is economically viable, established to reduce the cost of banking services to the public sector if an entity chooses to use the services of the I-Bank. The bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of the bill.

*SB 551 (Jackson) Oil and gas: decommissioning, cleanup, and remediation: costs*

This bill requires each oil and gas operator to report to the Division of Oil, Gas, and Geothermal Resources (DOGGR) the estimated cost to plug all of the operator's wells and decommission associated production facilities and show how these liabilities have been addressed in the operator's financial accounting. This bill also requires DOGGR to conduct additional inspections of oil and production operations associated with long-term idle wells and include the findings of those inspections in a report to the Legislature due April 1, 2021. The bill passed the Assembly Appropriations Committee Suspense File and is now on the Assembly Floor. The County is in support of this bill.

*SB 573 (Chang) Homeless Emergency Aid Program: funding*

This bill which would continuously appropriate funding to the Homeless Emergency Aid Program (HEAP) was amended on May 21<sup>st</sup>, to change the funding flow to now go through COC's to Cities, so Counties won't directly receive the funding. The bill was pulled from the Housing and Community Development Committee Hearing and is now a two-year bill. The County is no longer in support of this bill.

*SR 12 (Jackson) Relative to the 50<sup>th</sup> anniversary of the Santa Barbara oil spill*

The Senate Resolution would resolve that the Senate encourage its members to urge their constituents to participate in beach clean-up and other community efforts to bring citizen action and involvement to the protection of our environment and further honor the tireless efforts and important accomplishments of California's environmental leaders stretching from the time of the Santa Barbara oil spill 50 years ago up to the present day. The bill passed the Senate 30-1 on January 28<sup>th</sup> and is chaptered into law. The County supported this Senate Resolution.

## Conclusion

The Legislature reconvened from Summer Recess on August 12th, and will be on Floor Session the last two weeks for Session. The Legislature will complete the first year of a two-year session on September 13<sup>th</sup> and adjourn, while the Governor will then have until October 13<sup>th</sup> to sign or veto any bills that reach his desk.

We look forward to discussing priorities in the Legislature. We will continue to work with staff and keep the committee and Board updated. As always, should you or your staff have any questions, please don't hesitate to let us know.