

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate
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RE: 2021 March Update

DATE: March 29, 2021

The Legislature is now in the middle of committee and subcommittee hearings but have adjourned for a week for the Spring Legislative Recess from March 25th through April 5th. April 30th will be the last day for policy committees to hear and report to the fiscal committees the fiscal bills that are introduced in the house of origin. The Legislature has started budget subcommittee hearings but is continuing to leave most items open for discussion while they wait for the Department of Finance and the Administration to issue the May Revise, which will be around May 14th.

On March 9th the Governor delivered his 2021 State of the State Address. The Governor highlighted the state's continued progress in battling the pandemic, the urgent relief the state is providing to the hardest hit Californians and small businesses, and how the state is working to accelerate the reopening of schools across California. The Governor also laid out the work ahead to continue to safely reopen and ensure the state emerges from the pandemic in an equitable, broad-based recovery. He also stated that the State will invest \$10 billion in infrastructure like roads, rail, bridges and public transit.

The March Department of Finance bulletin stated that the General Fund revenues are running \$14.3 billion above January's revenue forecast of \$111.518 billion, with receipts for February exceeding the month's projections by \$3.8 billion above the 2021-22 Governor's Budget forecast of \$4.994 billion, providing a better than anticipated outlook. A significant amount of receipts above the January forecast is due to lower refunds caused by a later enactment date for the Golden State Stimulus than expected at the Governor's Budget, as well as a delayed opening date of the tax filing season by the IRS. The Governor stated in his press release that, "In partnership with the Legislature, we've ensured much of these revenue gains are providing immediate relief for individuals and families through the Golden State Stimulus, and for struggling small businesses through a more than \$2 billion boost to our investment in relief grants."

The Department of Finance bulletin also stated that California's unemployment rate decreased to 9.0 percent in January, down from 9.3 percent in December, but 4.7 percentage points higher than February 2020's pre-pandemic rate of 4.3 percent. On March 12th, the Governor announced that he will propose additional funding for business relief during his annual May budget revisions to his fiscal 2021-22 budget proposal, stating, "With small businesses and their employees still suffering from the consequences of COVID-19, we continue to work on measures to provide them additional relief related to federal Paycheck Protection Program (PPP) loans, as was done last year under AB 1577...We remain committed to an equitable and broad-based recovery and acting expeditiously to provide additional relief to businesses in the state—especially those that have been hardest hit by COVID-19, such as bars, restaurants, barbers, nail and hair salons, and performing arts venues, among others."

The County is in the process of establishing legislative and budget priorities for the legislative session. We have virtually had meetings with our Delegation in February and March and have explained our platform and our main budget priorities.

State Budget

Governor Newsom submitted his 2021-22 budget proposal to the Legislature on January 8th.

Early Budget Action Agreement

On February 17th, the Governor and Legislative Leadership reached on an agreement on an immediate action COVID-19 relief budget package. The Governor signed the immediate action budget bills on February 23rd, totaling in \$7.6 billion in economic stimulus measures. The agreement included:

Direct Relief to Individuals and Families

The agreement incorporated the Governor's Golden State Stimulus plan to assist California households with incomes below \$30,000, as well as those excluded from previous federal stimulus payments. The agreement provided \$600 in one-time relief to households receiving the California EITC for 2020. In addition, the agreement provided a \$600 one-time payment to taxpayers with Individual Tax Identification Numbers (ITINs) who were precluded from receiving the \$1,200 per person federal payments issued last spring and the more recent \$600 federal payments. It also provides \$600 payments to households with ITINs and income below \$75,000. ITIN taxpayers who also qualify for the California EITC will receive a total of \$1,200. The payments will be provided to these households shortly after they file their 2020 tax returns.

The agreement also provided direct relief to additional lower-income Californians through a \$600 one-time grant to households enrolled in the CalWORKS program and recipients of SSI/SSP and Cash Assistance Program for Immigrants (CAPI). Grant payments for CalWORKS households are expected by mid-April; timing for the delivery of SSI/SSP and CAPI grants is currently under discussion with federal officials. Combined, the package represents a total of 5.7 million payments to low-income Californians.

Immediate Relief for Small Businesses Quadrupled

Provided \$2.1 billion for grants up to \$25,000 for small businesses impacted by the pandemic, and allocated \$50 million of this total for non-profit cultural institutions.

Fee Waivers for Most Impacted Licensees

Two years of fee relief for roughly 59,000 restaurants and bars licensed through the state's Department of Alcoholic Beverage Control that can range annually from \$455 to \$1,235. The action also reflected fee relief for more than 600,000 barbering and cosmetology individuals and businesses licensed through the Department of Consumer Affairs.

More Resources for Critical Child Care

Addition of just over \$400 million in new federal funds to provide stipends of \$525 per enrolled child for all state-subsidized child care and preschool providers serving approximately 400,000 children in subsidized care statewide. The new federal resources will extend care for children of essential workers through June of 2022, and funds increased access to subsidized child care for more than 8,000 children of essential workers and at-risk children – who are not currently served in the system – through June of 2022.

Additional Aid for Individuals and Families

Provided an additional \$24 million for financial assistance and services through Housing for the Harvest – a program providing support for agricultural workers who have to quarantine due to COVID-19. The effort also provided a combined \$35 million for food banks and diapers.

Emergency Financial Relief to Support Community College Students

Provided an additional \$100 million in emergency financial aid for qualifying low-income students carrying six or more units, with award amounts to be determined locally and made available by early April. In addition, the agreement provided \$20 million to reengage students who have either left their community college studies because of the pandemic or to engage students at risk of leaving.

CalFresh Student Outreach and Application Assistance

Provided roughly \$6 million to support outreach and application assistance to University of California, California State University and California Community College students made newly eligible for CalFresh – the state-administered federal program for supplemental food assistance. The agreement also provided \$12 million in state funds to support associated county administrative workload.

In addition, the following provision was included:

Restoration of the previously enacted reductions, effective July 1st, for the University of California, California State University, the Judicial Branch, Child Support Services and for moderate-income housing.

The agreement was included in a number of budget bills that were signed by the Governor on February 23rd, including:

- AB 81 by Assemblymember Philip Ting (D-San Francisco) – COVID-19 relief.
- AB 82 by Assemblymember Philip Ting (D-San Francisco) – COVID-19 pandemic emergency: contact tracing: childcare.
- AB 85 by the Committee on Budget – Budget Act of 2020.
- SB 87 by Senator Anna Caballero (D-Salinas) – California Small Business COVID-19 Relief Grant Program: income tax: gross income: exclusion: small business grants.
- SB 88 by the Committee on Budget and Fiscal Review – One-time stimulus payment: delinquent accounts: Earned Income Tax Credit: statements.
- SB 94 by Senator Nancy Skinner (D-Berkeley) – Alcoholic beverage control: barbering and cosmetology: license renewal fees: waiver.

Continued Homekey Acquisitions

The Governor's January budget proposal looks to build off the \$846 million allocated for Project Homekey acquisitions and operations to-date. This includes \$750 million one-time General Fund for the Department of Housing and Community Development to continue providing competitive grants for local governments to purchase and rehabilitate housing, including hotels, motels, vacant apartment buildings, and other buildings, and convert them into interim or permanent long-term housing.

COVID-19 Relief – Federal Funding – Transportation

The federal spending and COVID-19 relief bill includes \$10 billion in supplemental funding allocated to state departments of transportation. California will receive approximately \$912 million from the bill. This funding will have slightly broader eligible uses than typical federal transportation funds.

The Governor’s budget did not include a specific proposal for the use of this funding, but it did highlight the significant fuel tax revenue losses to the state and local governments as a result of the COVID-19 pandemic.

The California Transportation Commission (CTC) held three workshops on the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (H.R. 133) before the CTC Commission Meeting on March 24th for the purpose of discussing ideas on how to distribute funds since there are multiple allowable uses of the funds. The Act allows for funds to be used for cost of maintenance, operations, debt service payments, tolling agencies, and can be used for activities eligible under the STBG program. There was a large stakeholder open discussion on what distribution formula should be used and what CTC should recommend to the Agency. While there was no specific outcome, some of the ideas that were thrown around included a 60% split for state and 40% for regions and locals, distributing funds through the traditional STIP process or create a brand new program. CSAC did not weigh in on the formula issue but stated that regions should definitely get a share and that there should definitely be funding allocated to the bridge, ATP and HSIP programs.

Staff recommends the Commission adopt Resolution G-21-39 (Attachment A), which specifies using California’s \$911.8 million apportionment from the federal Coronavirus Response and Relief Supplemental Appropriations Act for “highway infrastructure programs” as follows:

State Programs (60 Percent): \$547.1 Million

- \$486.3 million: State Highway Operation and Protection Program (SHOPP)
- \$60.8 million: Interregional Improvement Program*

Regional Programs (40 Percent): \$364.7 Million

- \$182.4 million: Regional Improvement Program*
- \$182.4 million: Surface Transportation Block Grant Program

The CTC Staff stated that this recommendation achieves the following objectives:

- It recognizes that federal funds are needed to make up funding shortfalls in existing transportation programs due to the impacts of the COVID-19 pandemic.
- It balances funding needs for the state and regions based on the “60/40” federal funding split historically used by California.
- For regions, it balances geographic equity concerns with the stated need by some agencies to be able to use funds for operations and other non-capital expenses.

The CTC Staff stated that this is the same split used by California for programmatic funding received under recent federal surface transportation legislation, including the Fixing America’s Surface Transportation Act. It also approximates the split of state gasoline excise tax revenues between the state and local jurisdictions and the proposed “60/40” split garnered broad consensus.

* The Interregional Improvement Program and Regional Improvement Program comprise 25 percent and 75 percent, respectively, of the State Transportation Improvement Program (STIP). Thus, a total of \$243.2 million will be distributed through the STIP.

The other question addressed at the workshops was what specific state and regional programs to fund. Consistent with a legislative recommendation included in the Commission's 2020 Annual Report to the Legislature, CTC staff emphasized the need to use the federal funds to make up funding shortfalls in existing programs that have occurred due to the COVID19 pandemic, rather than create new programs.

This is also consistent with the federal Act, which was passed in response to funding challenges caused by the pandemic. For the 60 percent for state programs, there was broad consensus to fund the SHOPP, which has experienced a significant loss of funding due to the COVID-19 pandemic and is a critical program for successful implementation of the Road Repair and Accountability Act of 2017. To the extent funds were used for the STIP, the Interregional Improvement Program also would be funded from the 60 percent. Most discussion at the workshops therefore focused on three main options that emerged for the 40 percent for regional programs:

- Option 1: Regional Improvement Program
- Option 2: Surface Transportation Block Grant Program
- Option 3: Half Option 1 and Half Option 2

Commission staff recommend Option 3. To alleviate concerns from some rural agencies that they would receive almost no funds through the Surface Transportation Block Grant Program, Commission staff recommend setting a minimum of \$200,000 for this program.

The County is also working on sending their own letter to outline specific County projects that would benefit from the funding.

Wildfire and Forest Resilience

Over the past two years, local government leaders and other stakeholders have met regularly with the Administration under the Forest Management Task Force to provide input into the Forest Resilience Action Plan. This plan has been released in conjunction with the January budget proposal and includes a \$1 billion, one-time General Fund investment for forest resilience efforts. The proposal includes \$323 million in the current year with the remaining funds allocated in the following budget year. Funding is focused on regional approaches to forest resilience. The January budget also includes an extension of \$200 million for forest health and fire prevention programs funded through the Cap-and-Trade program. These funds would have expired in 2023-24.

The County is a part of a coalition supporting early action for the proposed appropriations for Resilient Forests & Landscapes, Wildfire Fuel Breaks, and Community Hardening, specifically allocations to the following programs:

1. \$70 million to CAL FIRE for the Forest Health Program.
2. \$65 million to CAL FIRE to provide additional funding for prescribed fire projects via the Fire Prevention Grants and Prescribed & Hand Crews.
3. \$10 million to CAL FIRE for vegetation management and forest health improvement, with a focus on small landowners, through the California Forest Improvement Program.
4. \$25 million to Cal OES and CAL FIRE for home hardening projects to reduce fire risk.

5. \$25 million to the Department of Conservation for the Regional Forest and Fire Capacity Program to develop new regional coverage areas and continue developing capacity and implement projects in existing regional coverage areas.
6. \$1 million to CAL FIRE for tribal engagement.
7. \$6 million to CAL FIRE UC Cooperative Extension, California Conservation Corps, and California Community Colleges to fund fire advisors and a prescribed fire workforce development pipeline.

The Coalition met with Assemblymember Jim Wood on March 8th where he shared his insights on the Assembly's resilience bond effort and the proposed wildfire funding in the budget. Assemblymember Wood placed on the need for regional approaches and their ability to lend flexibility at the local level to determine where to invest public funds for maximum benefit.

Zero Emission Vehicles

The Administration has proposed securitizing approximately \$1 billion of vehicle registration fees, which were set to expire in 2024, to support the expansion of the California Energy Commission's Clean Transportation Program. The budget also includes \$50 million General Fund (one-time) to support the installation of charging stations at state-owned facilities. An additional \$465 million from Cap-and-Trade funds is proposed to improve access to new and used zero-emission vehicles, including passenger cars, trucks, medium, and heavy duty vehicles.

Flood Management

\$183 million (mainly bonds funds) for ongoing flood management programs including flood risk management, emergency flood response in the Delta, and state- federal flood projects.

Coastal Protection

\$6.5 million (plus an additional \$10 million in out-years, bond funds) to support projects that improve biodiversity and climate resilience by increasing coastal and marine ecosystem health.

Water Efficiency and Sustainable Groundwater Management

The Governor's January budget includes a one-time General Fund allocation of \$60 million for Sustainable Groundwater Management grants to support economic mitigation planning and groundwater implementation projects in critically over-drafted basins. The January budget also includes a one-time General Fund allocation of \$40 million to provide incentives that help farmers reduce irrigation water use and greenhouse gas emissions from agriculture pumping. These funds are to be split equally between the 2020-21 and 2021-22 budget years.

Cap & Trade Expenditure Plan

The Governor's proposed January budget includes the allocation of \$1.37 billion in cap and trade expenditures. The program was suspended briefly in 2020 due to revenue forecast concerns related to the pandemic. The annually appropriated revenues from cap and trade are focused on several existing program areas, including CAL Fires' forest health and fuels reduction program, support for the AB 617 Air Quality Program, and investments in low carbon transportation, such as the Clean Vehicle Rebate Program. Notably, the plan does not include funding for waste diversion to CAL Recycle to help implement our organic waste diversion requirements.

Climate Catalyst Fund

The Governor's January budget includes \$50 million one-time General Fund to the California Infrastructure and Economic Development Bank (IBank) to support Climate Smart Agriculture loans to advance climate-related on-farm programs.

California Disaster Assistance Act

The Governor's January budget includes \$256 million one-time General Fund to assist local governments during and after emergency events. Funding will be used for repair, restoration, or replacement of public property damaged or destroyed during disaster events, and to reimburse local governments for emergency activities under a declared state of emergency.

CAL Fire Additional Fire Crews

As part of the comprehensive forest and fire response package, the Governor's January budget includes \$143 million one-time and \$124 million ongoing General Fund to support 30 additional fire crews, 16 seasonal firefighter crews, and 14 California Conservation Corps fire crews. This is complemented by a \$24 million General Fund allocation for related capital outlay costs.

Natural Resources

The Governor's January budget proposes spending \$7.4 billion for programs in the California Natural Resources Agency. Funding is focused on climate resilience, equitable access to parks and wildlands, restoration and emergency response.

Deferred Maintenance for Levees, Parks and Wildlife Areas

In addition to climate funding, the Governor's January budget includes \$75 million one-time General Fund for critical levee repair projects to enhance the state's resilience to catastrophic flooding. An additional \$20 million one-time General Fund is allocated to the Department of Parks and Recreation for critical deferred maintenance projects to enable improved access and enhanced visitor experiences. The Department of Fish and Wildlife is allocated \$6 million one-time General Fund to address the increased recreational use at state-owned properties that lack visitor amenities and basic signage.

Boating and Waterways Fiscal Stability

In order to address an ongoing structural deficit at the Department of Boating and Waterways, the Governor's January budget includes both funding shifts and statutory fee increases. The budget shifts an ongoing allocation of Harbors and Watercraft Funds to the State Water Project, to the General Fund, to continue the state's commitment to the Davis-Dolwig Act. In addition, the budget proposes increases to the vessel registration fee resulting in an anticipated \$20 million of additional ongoing revenues.

Cannabis

The 2020 Governor's January budget includes a proposal to consolidate state cannabis operations into one entity. This proposal was put on hold due to the pandemic but has been re-introduced this year. The January budget proposes to consolidate the three cannabis licensing entities into a single Department of Cannabis Control by July 2021. Currently, the Bureau of Cannabis Control, the Department of Food

Agriculture, and the Department of Public Health all share unique responsibilities in licensing various parts of the cannabis industry. The Administration's proposal would centralize and align regulatory functions in a new stand-alone department that would create a single point of contact for cannabis licensees and local governments.

The budget also proposes statutory changes to establish permanent funding authority for a \$15 million local equity grant program to be administered by the Governor's Office of Business and Economic Development (GO-Biz). The funding will be directed to facilitating greater equity in business ownership and employment in the cannabis market.

Under Proposition 64, expenditures from the Cannabis Tax Fund are prioritized for regulatory and administrative workload necessary to implement, administer, and enforce the Cannabis Act. This is followed by research and activities related to the legalization of cannabis and the past effects of its criminalization. Once these priorities have been met, the remaining funds are allocated to youth education, prevention, early intervention, and treatment; environmental protection; and public safety-related activities. The Governor's January budget estimates \$443 million will be available of these purposes in 2021-22. The proposed allocation for the fund is as follows:

- Education, prevention, and treatment of youth substance use disorders and school retention – 60 percent (\$265.9 million);
- Clean-up, remediation, and enforcement of environmental impacts created by illegal cannabis cultivation – 20 percent (\$88.6 million);
- Public safety related activities – 20 percent (\$88.6 million).
- Administration of Justice

Local Public Safety

Division of Juvenile Justice (DJJ) Realignment

The Governor's January budget proposal notes the pending implementation of the DJJ realignment outlined in Chapter 337, Statutes of 2020 (SB 823). As a reminder, SB 823 included General Fund resources for counties of \$46.5 million in 2021-22, \$122.9 million in 2022-23, \$195.9 million in 2023-24, and \$212.7 million ongoing, beginning in 2024-25. The legislation also includes a growth factor upon full implementation. Additionally, the Board of State and Community Corrections is currently working to allocate a \$9.6 million grant program for implementation efforts. Lastly, the Governor's January Budget indicates DJJ will close on June 30, 2023..

The Administration will soon release a technical trailer bill on DJJ realignment. CSAC will be supporting a number of items in the trailer bill, including some protections for counties but is also pushing to receive the annual payments upfront.

Investments in County Probation Departments

The Governor's January budget proposal includes an early action investment of \$50 million one-time General Fund to county probation departments. These funds are meant to build off of county probation success with major prior reforms like Chapter 608, Statutes of 2009 (SB 678), 2011 Realignment, and earlier juvenile justice reforms as county probation departments prepare to implement new reforms like Chapter 328, Statutes of 2020 (AB 1950) and DJJ realignment (SB 823). These new funds may be used for a broad range of services with an emphasis on keeping juveniles and adults out of the criminal justice

system, moving them quickly and successfully through the system, and keeping them from reentering the system.

Because the COVID-19 pandemic and implementation of AB 1950 have both impacted the data being utilized for the SB 678 (Community Corrections Performance Incentive Grant) calculation, the Governor's January Budget proposal also includes \$122.9 million ongoing to county probation departments for SB 678. This allocation is based on the highest payment to the individual counties over the prior three fiscal years and would be in lieu of the current statutory formula.

The Governor's January budget proposal also includes \$19.5 million in 2021-22 for county probation departments to supervise the temporary increase in the average daily population of offenders on Post-Release Community Supervision as a result of the implementation of Proposition 57.

2011 Public Safety Realignment

The Governor's January Budget proposal updates revenue assumptions for 2011 Public Safety Realignment programs. As a reminder, 2019-20 was the first year that 2011 Realignment did not receive growth funding so the 2020-21 Community Corrections Subaccount base remains \$1.366 billion. The updated January revenue projections estimate Community Corrections growth of \$75.9 million in 2020-21. This would create a new base of \$1.442 billion for 2021-22. However, January estimates show revenue will not reach that level in 2021-22 and will only total \$1.408 billion, resulting in no growth for 2021-22. CSAC will provide individual county estimates in the coming weeks for the 2020-21 growth.

Judicial Branch

Reducing Criminal Fines and Fees for Low Income Californians

Chapter 92, Statutes of 2020 (AB 1869) eliminated the ability of state and local agencies to impose certain administrative fees for criminal offenses, such as fees imposed to recover costs related to providing public defense and probation supervision, commencing July 1, 2021.

The County is requesting for the State to ensure that the County of Santa Barbara receives the equivalent of \$2.6 million in backfill for the revenue loss from the result of AB 1869 (Chapter 92, Statutes of 2020).

The Governor's budget last year provided a backfill of \$65 million but the backfill did not include any distribution formula. Santa Barbara County is asking that the final distribution formula ensures that the County receives the equivalent of \$2.6 million that was previously received. The County is requesting a virtual meeting with the Department of Finance to get an update on what the State will be doing.

Additionally, the Governor's January budget proposal includes \$12.3 million General Fund in 2021-22, increasing to \$58.4 million ongoing General Fund by 2024-25, to expand statewide a current eight-court pilot program that allows indigent and low-income individuals to apply online to have their fines and fees from infractions reduced in accordance with their ability to pay. This proposed funding level includes a backfill of lost trial court revenue at the state level but does not include funding to backfill local revenue impacts.

Trial courts

On January 22nd, the Judicial Council approved a plan to distribute \$25 million to help trial courts address case delays caused by the COVID-19 pandemic, the remainder of \$50 million included in the 2020

Budget Act. The council will allocate the \$25 million based on each court's workload not disposed of during the pandemic period compared to the same period in 2019. The council also voted to require trial courts to report at least quarterly on their progress in reducing their COVID-19 backlogs and on how they spend the funding.

Health and Human Services

Realignment

The Governor's January budget proposal includes revenue assumptions for 1991 Realignment and 2011 Realignment. Due to the impacts of COVID-19, realignment revenues decreased and failed to reach base for both 1991 Realignment and 2011 Realignment in 2019-20. The Department of Finance projections for the current 2020-21 year are that revenues will increase, by about 5.6 percent above the 2019-20 levels. This would result in \$341.3 million in 1991 growth, including \$68.9 million for caseload growth, and \$188 million in 2011 growth in the Support Services Subaccount. However, revenues are then projected to decrease again in 2021-22 by 1.9 percent. We will continue to watch the Realignment revenues, especially as we get further along in the year and know more about actual revenues, rather than projections.

Local COVID-19 Assistance

The Governor included a placeholder amount of roughly \$372 million in current year emergency funds for COVID-19 vaccination distribution, logistics, and a public awareness campaign to boost vaccine uptake. Department of Finance Director Keely Bosler indicated that this amount is a placeholder and that Governor Newsom would be working with the Legislature to determine the needs and spending levels for COVID-19 vaccination activities.

California Advancing and Innovating Medi-Cal (CalAIM)

Governor Newsom included investments in the ambitious proposal to streamline and improve the state's Medi-Cal program which was previously delayed due to COVID-19 impacts. He proposes investing \$1.1 billion (\$531.9 million General Fund) in 2021-22, growing to \$1.5 billion (\$755.5 million General Fund) in 2023-24, to implement CalAIM initiatives proposed to begin January 1, 2022. The Governor anticipates phasing out infrastructure funding, which will be used to increase coordination between counties and health plans and implement behavioral health payment reform, in 2024-25, resulting in the ongoing funding decreasing to \$846.4 million (\$423 million General Fund) per year.

Please note that the Governor also specifies that the \$750 million one-time General Fund investments to acquire real estate assets for behavioral health treatment will complement the CalAIM efforts and investments.

In-Home Supportive Services

The In-Home Supportive Services (IHSS) program provides assistance and services to eligible older or disabled individuals to help them remain safely in their homes. For 2021-22, the Governor's January budget proposal includes \$16.5 billion for IHSS, of which \$5.3 billion is from the General Fund. This is a 10 percent increase in General Fund costs over the 2020-21 costs. The budget proposal estimates that average monthly caseload will increase by 3.9 percent over the prior year projection to a total of 593,000

recipients in 2021-22. These costs also reflect \$1.2 billion (\$557.6 million General Fund) for the state minimum wage increases.

IHSS County Administration

The Governor's January budget proposal would no longer freeze county administration funding at the 2019-20 level. This results in \$17.8 million General Fund being included for 2021-22 to reflect adjustments for caseload and the Consumer Price Index.

IHSS Back-up Providers

The Governor's January budget proposal includes a one-time extension of \$5.3 million General Fund through December 31, 2021 for the IHSS back-up provider system and back-up provider wage differential.

IHSS Collective Bargaining Budget Proposal

CSAC is cosponsoring an IHSS collective bargaining budget proposal along with CAPA, CWDA, UCC, RCRC, and the two IHSS provider unions – UDW/AFSCME Local 3930 and SEIU California. The goal of this proposal is to maintain the existing IHSS collective bargaining funding mechanisms. These fiscal tools have been essential to IHSS collective bargaining progress with counties finalizing 24 new agreements under the IHSS MOE that was enacted on July 1, 2019. The County is supporting the proposal and has sent a letter in support to the budget committees.

Food Banks

The Governor's January budget proposal includes \$30 million one-time General Fund for the Department of Social Services to fund food banks and existing Emergency Food Assistance Program providers. This funding would be used to mitigate increases in nutrition assistance needs of Californians.

Federal Rent Assistance and Eviction Protections

The Governor signed SB 91 into law on January 29th. The trailer bill extended the moratorium on evictions for non-payment of rent due to COVID-19 financial hardship, subject to numerous conditions from January 31, 2021, to June 30, 2021, and also contained an appropriation of federal funds and statutory changes necessary to implement a rental assistance program as part of the 2020 Budget Act.

Enacted December 27, 2020, the federal Consolidated Appropriations Act, 2021 (Public Law 116-260), included \$25 billion for rental assistance programs, allocated to the states. California is expected to receive roughly \$2.6 billion of this amount. \$1.1 billion is to be allocated directly to local jurisdictions with populations above 200,000, with the balance allocated to the state for administration. SB 91 established the State Rental Assistance Program to allocate the state share of federal rental assistance funds. Funds will be allocated as based on population, consistent with the requirements of federal law, as follows:

- a) Provides a \$150 million set aside for counties with populations under 200,000. This funding is allocated proportionally based on population.

- b) Distributes the remaining funds to counties and cities with populations over 200,000 who are eligible to also receive a direct allocation from the federal government.

Those localities with a population between 200,000 and 500,000 are eligible to receive their funding as a block grant from the state.

Public Safety Power Shutoffs

On March 17, Governor Newsom announced the distribution of an additional \$50 million in Community Power Resiliency grants through the California Governor's Office of Emergency Services (Cal OES).

The grants awarded by Cal OES were distributed to a total of 225 recipients, including all counties, 51 incorporated cities, 20 federally recognized tribes and 96 special districts, specifically:

- \$13 million to counties – Each county was allocated based on population. Each county is required to use at least 50 percent of their award to support PSPS resiliency for one or more of the following priority areas: schools, elections offices, food storage reserves and/or COVID-19 testing sites.
- \$13 million to cities – Cities were allowed to apply for up to \$300,000 on a competitive basis. They are encouraged to allocate funds to one or more of the following priority areas: schools, election offices, food storage reserves and/or COVID-19 testing sites.
- \$2.5 million to California federally recognized tribes – Tribes were allowed to apply for up to \$150,000 on a competitive basis.
- \$20 million to special districts – Special districts that have an identified critical facility or facilities, or provide critical infrastructure, pursuant to the de-energization guidelines adopted by the California Public Utilities Commission were allowed to apply for up to \$300,000 on a competitive basis.

Wildfire Resiliency

The Senate Democrats released a “Blueprint for a Fire Safe California,” which is a policy the Senate Wildfire Working Group adopted relating to an approach to wildfire resiliency. The blueprint has four areas of focus: Training and deploying a fire resiliency workforce; implementing a modern-day vegetation, forest-management, and community hardening plans; expanding consumer access to the homeowners’ insurance market; and short and long-term funding plans.

As part of the Blueprint, the State Senate Budget Subcommittee on Resources, Environmental Protection and Energy approved a \$573 million budget framework on wildfire prevention and response, this framework lays out the Senate’s Budget Subcommittee priorities for early budget action and builds upon Governor Newsom’s \$323 million early budget proposal. Per CSAC’s update, this framework will be part of negotiations to move a wildfire prevention and response budget bill in the coming weeks and not wait until the traditional budget approval process in June.

The Assembly and Senate are both working on an early-action wildfire and prevention budget package. CSAC submitted letters to the Senate and the Assembly Budget committees outlining support for general proposals including:

- Providing immediate funding to address wildfire and forest resilience.
- Increasing funds to help local governments recover from disasters under the California Disaster Assistance Act.

- Funding to implement Organic Recycling requirements.
- Continuation of the state’s commitment to advancing flood projects statewide.
- Providing direct funding to counties to help implement groundwater management.
- Supporting our state and local fairs and fairgrounds.

And concerns around:

- Shifting positions at Cal Recycle away from local assistance for organic waste recycling to enforcement and compliance.
- The establishment of a new environmental safety board and fee structure at the Department of Toxic Substances Control.
- The major consolidation of various state cannabis agency regulatory functions into a single agency.

California Master Plan for Aging

On January 6th, the Governor released the California Master Plan for Aging, framework that will prepare the state for significant demographic changes including the growth of the 60-and-over population to 10.8 million people by 2030.

In June of 2019, the Governor issued an executive order that called for a California Master Plan for Aging. The release was the culmination of more than a year of stakeholder input and recommendation development led by the California Health and Human Services Agency and California Department of Aging.

The Master Plan for Aging’s Five Goals for 2030 include:

1. *Housing for All Ages and Stages.* We will live where we choose as we age in communities that are age-, disability-, and dementia-friendly and climate- and disaster-ready. *Target:* Millions of New Housing Options to Age Well.
2. *Health Reimagined.* We will have access to the services we need to live at home in our communities and to optimize our health and quality of life. *Target:* Close the Equity Gap in and Increase Life Expectancy.
3. *Inclusion and Equity, Not Isolation.* We will have lifelong opportunities for work, volunteering, engagement, and leadership and will be protected from isolation, discrimination, abuse, neglect, and exploitation. *Target:* Keep Increasing Life Satisfaction as We Age.
4. *Caregiving That Works.* We will be prepared for and supported through the rewards and challenges of caring for aging loved ones. *Target:* One Million High-Quality Caregiving Jobs.
5. *Affording Aging.* We will have economic security for as long as we live. *Target:* Close the Equity Gap in and Increase Elder Economic Sufficiency.

The Master Plan identifies 132 actionable initiatives for the first two years. Many of these initiatives are specific to county aging programs or otherwise related to policy areas where counties play a key role including housing, transportation, emergency preparedness, and broadband. Listed below are five specific recommendations closely tied to county aging programs.

- Initiative #95 – Assess Adult Protective Services capacity, age of people served, and services provided, especially for complex cases, given growing and changing needs.
- Initiative #96 – Assess needs and capacities of local Public Guardians, Public Conservators and Public Advocates, given growing and changing needs.
- Initiative #101 – Revisit California’s Area Agency on Aging local leadership structures – including local area map, funding formulas, and designations – via California’s Federal Older Americans Act State Plan 2021-2024, to meet growing and changing needs and continue to advance equity.
- Initiative #118 – Expand older homelessness programs, such as Home Safe (APS) and Housing and Disability Advocacy Program (HDAP/SSI), to meet needs as funds allow.
- Initiative #130 – Map and identify opportunities – at federal, state, and local level – to address older Californians’ needs for nutrition.

The California Department of Aging is holding webinars featuring national, state, and local leaders, every first Wednesday from 10 - 11 a.m. through July 2021.

The webinars cover a range of topics including how historic and systemic discrimination and internal biases harm the wellbeing of Black, Indigenous, and People of Color (BIPOC), LGBTQ, and disabled older adults. Speakers will address how we can work together to address the resulting inequities through culturally responsive policy, program, and service planning.

CSAC hosted a webinar about California’s new Master Plan for Aging on March 15th. Counties actively engaged throughout the stakeholder process and there are numerous opportunities in the Master Plan to improve the health and well-being of older adults. On the webinar, counties received a broad overview of the Master Plan, learned about specific initiatives that directly involve counties, and hear about the latest plans and progress on implementation. Speakers included Kim McCoy Wade, Director of the California Department of Aging, Inyo County Supervisor Jeff Griffiths, Chair of CSAC’s Health and Human Services Policy Committee, Shireen McSpadden, Executive Director of the Department of Disability and Aging Services, San Francisco Human Services Agency and Kevin Prindiville, Executive Director of the Justice in Aging.

County Coroners Budget Request

Santa Barbara County is supporting the Sacramento County’s state budget request for the training and equipment needed to support the work of county coroners. The \$1 million budget request would be for interested counties to participate in training in how to use the rapid DNA tests and to help coroners have a more coordinated response to mass fatalities.

Law enforcement and fire personnel routinely train for how to respond to a mass casualty event, but when it comes to mass fatality scenarios, training opportunities for the coroner team are virtually non-existent. Coroner personnel are periodically invited to participate in scenarios with law enforcement and fire agencies, but the training is stopped when it is determined that the live casualties are appropriately addressed. This leaves coroner personnel unprepared for mass fatality events, and ultimately, these agencies are responsible for their own in-house training. Funding for statewide or regional training would greatly improve the ability of coroner personnel to respond to these tragic events.

Committee staff told Sacramento County that member requests in the budget committee on public safety won't be heard at all this year, so there won't be a hearing. However, Sacramento had great meetings with the Department of Finance, budget committees, CalOES, and the Governor's Office, and that there is broad support for the proposal. Sacramento is continuing their meetings to request support and build their coalition, but the ultimate decision will be behind the scenes budget negotiations. Assemblymember Cooper has this as a top priority and will be talking to the budget chairs about it.

340B Program

Last year's State Budget restored, by rejecting the withdrawal of the January 2020 budget proposal, \$52.5 million (\$26.3 million General Fund and \$26.3 million federal funds) to provide supplemental payments to nonhospital 340B clinics.

We have confirmed with the Department of Finance that the 340B supplemental payments are included in the Governor's 2021-22 Budget on an ongoing basis. This proposal is part of Medi-Cal Rx, the pharmacy carveout from managed care, so fiscal year 2020-21 costs reflect the transition of Medi-Cal Rx.

We received an update on February 17th, that the Department of Health Care Services (DHCS) is again delaying the planned implementation date of the Medi-Cal Rx transition, which was previously scheduled for April 1, 2021. DHCS stated in their announcement that they need to review new conflict avoidance protocols submitted by Magellan Health, the project's contracted vendor. The State has only said that they will give an update in May on whether or not they could proceed under the current contractual agreement or have to go out to bid for the vendor.

The County was a part of the stakeholder process and has been in contact with the Administration, CA Department of Finance, our local Delegation, Legislative budget staff, the California Health and Human Services Agency and the Department of Health Care Services to insist that the County gets a correct share of the funds.

DHCS looked into our suggestion to carve-out the available 340B backfill dollars into two pools: one for qualifying private, non-profit entities; and one for qualifying public, governmental entities. Although we are now hearing that the State has identified more public entities that would likely qualify for the payment pool than we originally thought, thereby possibly lowering our anticipated backfill even more. Therefore, the County is now requesting inclusion of budget trailer language to provide a distribution formula that ensures an appropriate backfill for Santa Barbara County.

This will assist greatly to afford the County the ongoing funding to provide our important specialty and other services which these funds have supported.

2021 Executive Orders and Actions

Governor Gavin Newsom has issued a number of executive orders addressing a variety of issues in response to the COVID-19 pandemic.

Executive Orders and Actions Timeline

March 26, CDPH released updated guidance for amusement and theme parks, outdoor live events and graduation ceremonies.

March 25, Governor Newsom announced expanded vaccine eligibility to 50+ Californians starting April 1 and all individuals 16+ on April 15, based on expected supply increases.

March 24, CDPH announced changes to the Cohort Guidance. The Cohort Guidance now only applies to counties in the Purple Tier and is frequently referenced for operations at day camps, before and after school programs, and childcare centers.

March 22, CDPH updated guidelines to allow band, drumline, choir and drama as low contact youth recreational activities under the state's youth and adult recreational sports guidelines.

March 20 - CDPH updated K-12 Schools Guidance to align with the latest science, as reflected by yesterday's update from the Centers for Disease Control and Prevention (CDC).

March 19, CDPH released updated sportguidance for sideline cheer, as well as data on COVID-19 outbreaks and Seroprevalence. Governor Newsom announced that California will eliminate their tiered system for vaccination in early May, due to increased supply.

March 18, Governor Newsom and State Superintendent Thurmond Announce Deployment of Up to 3 Million Free Rapid COVID-19 Antigen Tests to Help High-Needs Schools Safely Reopen Classrooms.

March 17, CDPH announced launch of "Let's Get to ImmUnity" campaign to boost COVID-19 vaccine acceptance, a multi-million dollar statewide effort to help Californians address questions and concerns regarding COVID-19 vaccinations.

March 16, The California Business, Consumer Services and Housing Agency (BCSH) announced the launch of the COVID-19 Rent Relief Program. The program provides rental reimbursement to landlords and relief to eligible tenants for unpaid rent accrued between April 1, 2020 and March 31, 2021.

March 15, CDPH announced that 2 million doses of COVID-19 vaccine have been administered to Californians in some of the state's hardest-hit communities, increasing immunity where the state's transmission rates and disease burden have been the highest during the pandemic.

March 11, President Biden signs the \$1.9 trillion American Rescue Plan. CDPH announced updates to public health guidance in the Blueprint for a Safer Economy to allow for additional safe and sustainable reopening activities in the state.

March 8, CDC issues first set of guidelines on how fully vaccinated people can visit safely with others. Governor Newsom announced that California has nearly tripled its goal for vaccinating education workers – over 200,000 teachers, school staff and childcare workers were vaccinated, exceeding the estimated 75,000 vaccines per week target.

March 5, Governor Newsom signs \$6.6 billion package to return kids to the classroom and bolster student supports. State Updates Blueprint to allow additional activities that can be conducted outdoors and with consistent masking, which reduces risk of COVID-19 spread for safe and sustainable reopening. California Volunteers, Office of the Governor launches volunteer recruitment campaign to accelerate COVID-19 vaccinations.

March 4, State introduced vaccine equity metric to update Blueprint for a Safer Economy based on vaccinating the state's hardest hit communities against COVID-19. CDPH released updated masking guidance that includes recommendation on double masking. CDPH also released an update to its outdoor and indoor youth and recreational adult sports guidance which specifies the conditions under which youth and adult recreational sports may resume practice with contact and competition under the Blueprint for a Safer Economy.

March 3, Governor Newsom Announces Federal Approval of Medicaid Funding for Expanded COVID-19 Testing for Low-Income Students. The first-in-the-nation waiver approved by Biden-Harris Administration to allow Medicaid funding for voluntary COVID19 testing in schools.

March 1, Governor Newsom, Pro Tem Atkins and Speaker Rendon Highlight New \$6.6 Billion Package to Reopen Schools and Deepen Student Supports. The \$6.6 billion budget package accelerates the safe return to in-person instruction across California and empower schools to immediately expand academic, mental health and social-emotional supports, including over the summer.

February 26, Governor Newsom Highlighted New Central Valley Vaccine Initiatives, Expanded Statewide Network of Community-Based Organizations for COVID-19 Education and Outreach in Vulnerable Communities

February 25, Governor Newsom announced Equity-Centered Plan to Accelerate Access to COVID Vaccines for Education Workers.

February 23, Governor Newsom signed into law a comprehensive package of immediate actions that will speed needed relief to individuals, families and businesses suffering the most significant economic hardship due to COVID-1.

February 22, Governor Newsom announced that the state is partnering with OptumServe and local counties to open up to 11 vaccination sites within the next week to serve some of the hardest-hit or most at-risk communities in the Central Valley, in addition to other steps to bolster vaccination efforts in the region.

February 19, CDPH released updated guidance for youth and recreational adult sports. Governor Gavin Newsom also announced effective March 1st, 10% of first doses would be set aside for educators and childcare workers.

February 17, Governor Gavin Newsom, Senate President pro Tempore Toni G. Atkins and Assembly Speaker Anthony Rendon announced that they reached agreement on a package of immediate actions that will speed needed relief to individuals, families and businesses suffering the most significant economic hardship from the COVID-19 Recession.

February 16, California Governor Gavin Newsom and the Biden-Harris Administration announced the opening of the nation's first community vaccination sites in Oakland and Los Angeles.

February 12, The CDC released the Operational Strategy for Reopening Schools. Governor Newsom launched the Safe Schools for All Hub as a one-stop shop for information about safe in-person instruction. For more information on the transparency, accountability and assistance measures related to California's Safe Schools for All plan, visit the Safe Schools for All Hub.

February 11, The California Department Consumer Affairs waived restrictions on administering COVID-19 Vaccines:

- o Dental Hygienists
- o Optometrists
- o Podiatrists
- o Post Graduates

The California Department of Public Health announced that beginning March 15, healthcare providers may use their clinical judgement to vaccinate individuals aged 16-64 who are deemed to be at the very highest risk for morbidity and mortality from COVID-19 as a direct result of one or more of the severe health conditions included in this provider bulletin.

February 4, Governor Newsom met virtually with small business owners receiving support through the first round of California's Small Business COVID-19 Relief Grant Program.

February 3, California Governor Gavin Newsom and the Biden-Harris Administration announced a pilot project to establish community vaccination sites based at the Oakland-Alameda Coliseum and California State University, Los Angeles.

February 2, President Biden directed the Federal Emergency Management Agency (FEMA) to fully reimburse states for the cost of National Guard Personnel and emergency costs.

January 29 Governor Gavin Newsom signed legislation to extend the state's landmark eviction moratorium through June 30, 2021, protecting millions of Californians struggling as a result of the economic hardships brought on by the COVID-19 pandemic.

January 27, Governor Gavin Newsom signed an executive order to bolster the state's efforts to vaccinate as many Californians as possible, as quickly as possible.

January 26, The Newsom Administration announces creation of a statewide vaccine delivery network to simplify and standardize the vaccination process with equity as a core focus.

January 25, Officials with the California Department of Public Health (CDPH) ended the Regional Stay at Home Order, lifting the order for all regions statewide, including the three regions that had still been under the order. Additionally, Governor Gavin Newsom announced a series of improvements to the state's vaccination plan. Incorporating lessons learned from efforts to increase the pace of vaccination. Finally, he along with legislative leadership issued a joint statement on the extension of the eviction moratorium to protect Californians impacted by COVID-19.

January 20, California State Epidemiologist Dr. Erica Pan issued a statement advising providers that they can immediately resume the administration of lot 41L20A of the Moderna COVID-19 vaccine, which was temporarily paused on Sunday due to possible allergic reactions.

January 17, California State Epidemiologist Dr. Erica S. Pan issued a statement recommending providers pause the administration of lot 41L20A of the Moderna COVID-19 vaccine due to possible allergic reactions that are under investigation.

January 14, Governor Gavin Newsom announced the launch of transparency, accountability and assistance measures related to the Safe Schools for All Plan. The Safe Schools for All Hub – schools.covid19.ca.gov – was launched as a one stop shop for information about safe in-person instruction, and will be updated frequently.

January 13, The Governor announced a new system to let people know if they are eligible to receive a vaccine, and if not yet eligible, to register for a notification via email or text when they are eligible. That system is expected to launch next week. This comes on the heels of the CDC's decision to expand the pool of those eligible to receive the vaccine to individuals 65 and older.

January 11, Governor Gavin Newsom submitted his 2021-22 State Budget proposal to the Legislature – a \$227.2 billion fiscal blueprint that provides funding for immediate COVID-19 response and relief efforts where Californians need it most while making investments for an equitable, inclusive and broad-based economic recovery.

January 6, Governor Newsom Announces Golden State Stimulus, a budget proposal to help low-income Californians through \$600 rapid cash payments, and calls for extension of eviction moratorium.

January 5, Governor Gavin Newsom previewed his Equitable Recovery for California's Businesses and Jobs plan, the business and workforce recovery elements of his 2021-22 State Budget that will help California through the COVID19 pandemic and advance an equitable, broad-based recovery. The state issued a public health order ensuring distribution of health care resources across the state to ensure patients get life-saving care as ICU capacity is strained.

January 1, the California Governor's Office of Emergency Services began collaborating with the United States Army Corps of Engineers in the Los Angeles area hospitals to assess and upgrade oxygen delivery systems.

Public Banking, IBank and Banking Issues

AB 1177 (Santiago) has been amended into the California Public Banking Option Act. The CalSavers Retirement Savings Trust Act creates in state government the CalSavers Retirement Savings Board and requires the board to, among other things, design and implement the CalSavers Retirement Savings Program.

This bill, the California Public Banking Option Act, would, among other things, establish in state government the Public Banking Option Board consisting of nine members, including the Treasurer or the Treasurer's designee and would require the board to administer the BankCal Program, which the act would create for the purpose of protecting consumers who lack access to traditional banking services from predatory, discriminatory, and costly alternatives, by offering access to voluntary, zero-fee, zero-penalty, federally insured transaction account and debit card services at no cost to account holders.

AB 310 (Santiago), was gutted and amended into the wealth tax bill that would impose an annual tax at a rate of 1% of a resident of this state's worldwide net worth in excess of \$50,000,000, or in excess of \$25,000,000 in the case of a married taxpayer filing separately. The bill would also impose an additional tax at a rate of 0.5% of a resident's worldwide net worth in excess of \$1,000,000,000, or in excess of \$500,000,000 in the case of a married taxpayer filing separately.

Tenant Relief Legislation

AB 15 (Chiu) The bill would extend the definition of "COVID-19 rental debt" as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other

conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program. The bill has been referred to the Assembly Housing and Community Development Committee.

AB 16 (Chiu) The bill would establish the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. The bill would authorize the Director of Housing and Community Development to direct an existing office or program within the Department of Housing and Community Development to implement the program. The bill would establish in the State Treasury the COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Fund, and, upon appropriation by the Legislature, distribute all moneys in the fund to the department to carry out the purposes of the program. The bill has been referred to the Assembly Housing and Community Development Committee.

SB 3 (Caballero) The COVID-19 Tenant Relief Act of 2020 establishes certain procedural requirements and limitations on evictions for nonpayment of rent due to COVID-19 rental debt, as defined. Existing law defines COVID-19 rental debt as unpaid rent or any other unpaid financial obligation of a tenant that came due during the covered time period, defined as the period between March 1, 2020, and January 31, 2021. The act also requires a notice that demands payment of rent that came due during the transition time period, defined as the period between September 30, 2020, and January 31, 2021, to comply with additional specified requirements. This bill would extend the covered time period and transition time period for purposes of the act to March 31, 2021. The bill has been referred to the Senate Judiciary Committee.

CSB Position Bills

AB 32 (Aguiar-Curry) Telehealth

The bill would require the State Department of Health Care Services (DHCS) to extend the telehealth flexibilities, including telephone visits, in place during the COVID-19 Pandemic. Additionally, AB 32 ensures patients will continue to have access to care by maintaining parity in reimbursement for telehealth services for Medi-Cal managed care plans. The County is in support of this bill. The bill has been referred to the Assembly Health Committee.

AB 821 (Cooper) Sexually violent predators: placement outside county of domicile: notice and hearing.

Current law requires a sexually violent predator who is conditionally released to be placed in the county that was the person's county of domicile prior to the person's incarceration, unless extraordinary circumstances exist requiring placement outside the county, as specified. This bill would require advance notice, as specified, if a sexually violent predator is to be released to a county other than their county of domicile. The bill would require the local jurisdiction to give public notice of the intended release and allow for public comment, as specified. The bill would require the court to hold an evidentiary hearing to determine if extraordinary circumstances exist. The County is supporting the bill. The bill has been referred to the Assembly Public Safety Committee.

AB 843 (Aguiar-Curry) California Renewables Portfolio Standard Program: renewable reed-in tariff

The bill will allow Community Choice Aggregators (CCAs) to access an existing state program that provides funding for renewable bioenergy electricity projects, including biomass and biogas. The County is in support of this bill. The bill has been set to be heard in the Assembly Utilities and Energy Committee on April 7th.

SB 74 (Borgeas) Keep California Working Act.

This bill, the Keep California Working Act, would establish the Keep California Working Grant Program. The act would require the Small Business Advocate to administer the program and award grants, as

specified, to small businesses and nonprofit entities that meet specified criteria, including that the entity has experienced economic hardship resulting from the COVID-19 pandemic.

The Governor' and Legislature's early budget action agreement in trailer bill SB 87 would establish the California Small Business COVID-19 Relief Grant Program within CalOSBA to assist qualified small businesses affected by COVID-19 through administration of grants. The bill would require CalOSBA to provide grants to qualified small businesses, as defined, in accordance with specified criteria, including geographic distribution based on COVID-19 restrictions, industry sectors most impacted by the pandemic, and underserved small businesses. The bill would repeal these provisions on January 1, 2024. This bill would appropriate \$2,075,000,000 from the General Fund to the Golden State Stimulus Emergency Fund to be transferred to the Office of Small Business Advocate for purposes of the program, and would allocate \$50,000,000 of those funds for eligible nonprofit cultural institutions, as defined.

The author's office (SB 74) has let us know that they are still working on SB 74 for now and will keep us apprised of its outcome. They have stated that while they did not get the full grant amounts as outlined in SB 74, we are pleased to see that additional funding will be available for businesses and nonprofits.

SB 463 (Wiener) Oil and gas: hydraulic fracturing, acid well stimulation treatments, steam flooding, water flooding, or cyclic steaming: prohibition: job relocation.

The bill would revise the definition of "well stimulation treatment" to include steam flooding and water flooding. The bill would prohibit the issuance or renewal of a permit to conduct hydraulic fracturing, acid well stimulation treatment, steam flooding, water flooding, or cyclic steaming for the extraction of oil and gas beginning January 1, 2022, and would prohibit new or repeated hydraulic fracturing, acid well stimulation treatments, steam flooding, water flooding, or cyclic steaming, except as conducted pursuant to a permit lawfully issued before that date. The bill would prohibit all hydraulic fracturing, acid well stimulation treatments, steam flooding, water flooding, cyclic steaming, or other well stimulation treatments beginning January 1, 2027. The County is in support of this bill. The bill is set to be heard in the Senate Natural Resources and Water Committee on April 13.

SB 712 (Hueso) Local government duties relative to California tribes

This bill would encourage local governments, as defined, to (1) seek opportunities to support California federally recognized tribes' comanagement of, and access to, lands that are within the tribe's ancestral land and under the ownership or control of the local government; (2) work cooperatively with tribes in their efforts to acquire lands in excess of the local government's needs, by prioritizing tribal purchase or transfer; (3) work cooperatively with tribes in their nongaming fee-to-trust applications; (4) adopt preferential policies and practices conducive to a tribe's efforts to access land, as provided, and acquire land in trust. The bill would require local governments, when submitting comments as described above, to consider economic benefits, as provided, prior to adopting a position on a fee-to-trust application, and if the local government submits an opposition letter or other document, to include the economic benefits therein. The County is supporting this bill. The bill has been referred to the Senate Governance and Finance Committee.

Other Bills that may be of Interest to the County

AB 9 (Wood) Wildfires

Current law establishes in the Natural Resources Agency the Department of Conservation. This bill would establish in the department the Regional Forest and Fire Capacity Program to establish regional groups to build local and regional capacity and develop, prioritize, and implement strategies and projects that create

fire adapted communities by improving watershed health, forest health, community wildfire preparedness, and fire resilience. The bill would require, among other things, the department to, upon an appropriation by the Legislature, provide block grants to regional administrators, as defined, to develop regional strategies that develop governance structures, identify wildfire risks, foster collaboration, and prioritize and implement projects within the region to achieve the goals of the program.

AB 21 (Bauer-Kahan) Forestry: electrical transmission and distribution lines: clearance: penalties.

Current law requires a person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land or forest-covered land, brush-covered land, or grass-covered land to maintain around and adjacent to any pole or tower that supports a specified. Current law requires a person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land or in forest-covered land, brush-covered land, or grass-covered land to maintain a clearance between all vegetation and all conductors that are carrying electric current, as specified. This bill would impose a civil penalty of up to \$100,000 for each violation of the above-described provisions. The bill would impose an additional civil penalty of up to \$1,000 for each acre burned by a fire resulting from a violation of the above-described provisions.

AB 50 (Boerner-Horvath) Climate change: Climate Adaptation Center and Regional Support Network: sea level rise.

Current law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, and update biannually, a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.

AB 51 (Quirk) Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.

Would require the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.

AB 52 (Frazier) California Global Warming Solutions Act of 2006: scoping plan updates: wildfires.

The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include in its regulation of emissions of greenhouse gases the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund (fund) and to be available upon appropriation by the Legislature. Current law continuously appropriates 35% of the annual proceeds of the fund for transit, affordable housing, and sustainable communities programs and 25% of the annual proceeds of the fund for certain components of a specified high-speed rail project. This bill would require the state board, in each scoping plan update prepared by the state board after January 1, 2022, to include, consistent with the act, recommendations for achieving the maximum technologically feasible and cost-effective reductions of emissions of greenhouse gases and black carbon from wildfires.

AB 55 (Boerner Horvath) Employment: telecommuting

Current law promotes and develops the welfare of workers in California to improve working conditions and advance opportunities for profitable employment. Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry. This bill would declare the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.

AB 63 (Petrie-Norris) Marine resources: Marine Managed Areas Improvement Act: restoration activities.

Under the MMAIA, in a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes, that the designating entity or managing agency determines would compromise protection of the species of interest, natural community, habitat, or geological features. The MMAIA authorizes the designating entity or managing agency to permit, among other things, research, education, and recreational activities. This bill would authorize the designating entity or managing agency to also permit restoration activities.

AB 64 (Quirk) Electricity: renewable energy and zero-carbon resources: state policy: strategy

Current requires the PUC, the State Energy Resources Conservation and Development Commission (Energy Commission), and the State Air Resources Board (state board) to, in consultation with all California balancing authorities, issue a joint report to the Legislature by January 1, 2021, and at least every 4 years thereafter, that includes specified matters. The bill would require the PUC, Energy Commission, and state board, in consultation with all balancing authorities, to additionally develop a strategy, by an unspecified date, on how to achieve the above-described state policy in a cost-effective and environmentally beneficial manner. The bill would require the strategy to include, among other things, a plan to promote the development of technologies that can help achieve that state policy.

AB 67 (Petrie-Norris) Sea level rise: working group: economic analysis

Would require a state agency to take into account the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in infrastructure located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes. The bill would require, by March 1, 2022, the Ocean Protection Council, in consultation with the Office of Planning and Research, to establish a multiagency working group, consisting of specified individuals, on sea level rise to provide recommended policies, resolutions, projects, and other actions to address sea level rise, the breadth of its impact, and the severity of its anticipated harm. The bill would require the council, in consultation with the working group to, among other things, develop a standardized methodology and template for conducting economic analyses of risks and adaptation strategies associated with sea level rise, as provided.

AB 72 (Petrie-Norris) Environmental protection: Natural Resources Agency: coastal adaptation projects: sea level rise: regulatory review and permitting: report.

Would enact the Coastal Adaptation Permitting Act of 2021. The bill would require the agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects, as defined. The bill would require the agency to submit, by July 1, 2023, a report to the Legislature with suggestions and

recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.

AB 99 (Irwin) Statewide longitudinal data system: California Cradle-to-Career Data System.

Current law establishes the California Cradle-to-Career Data System Workgroup to assess, recommend, and advise about statewide data infrastructure that integrates data from state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs. Current law requires the Office of Planning and Research to contract with entities with expertise in managing data for specified purposes relating to the workgroup's activities. Current law requires those contracted entities to submit reports to the Department of Finance and the Legislature concerning the establishment of the California Cradle-to-Career Data System, as specified. This bill would express the intent of the Legislature in enacting the bill is to codify certain recommendations in the California Cradle-to-Career Data System Legislative Report published in December 2020, which describes the planning process and recommendations for phase one of the Cradle-to-Career Data System. The bill would set the vision, mission, and strategic objectives of the data system.

AB 106 (Salas) Regions Rise Grant Program.

Would establish the Regions Rise Grant Program within GO-Biz for the purpose of supporting inclusive, cross-jurisdictional, and innovative engagement processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all. The bill would define "region" as a geographic area composed of one or more counties and cities that form a functional economy. This bill would require GO-Biz to develop and implement a process for the awarding of competitive grants to eligible applicants within the program. The bill would define an eligible applicant as a regional collective composed of a diverse set of public and private stakeholders who organize themselves around one or more community challenges or priorities impacting a region and meet certain requirements.

AB 115 (Bloom) Planning and zoning: commercial zoning: housing development.

Would, notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site designated in any local agency's zoning code or maps for commercial uses if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.

AB 118 (Kamlager) Emergency services: community response: grant program

Would, until January 1, 2026, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the 3-year C.R.I.S.E.S. Grant Pilot Program, which the act would establish. The bill would require the office to establish rules and regulations for the program with the goal of making grants to community organizations, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year. The bill would require a community organization receiving funds

pursuant to the program to use the grant to stimulate and support involvement in emergency response activities that do not require a law enforcement officer, as specified. The bill would require the Director of Emergency Services (director) to assemble staff and resources to carry out certain duties in support of the program.

AB 119 (Salas) County assessors: direct levies

Current law requires each county to have certain offices, including the office of auditor who is designated to perform certain duties, including apportioning property tax revenue to each jurisdiction according to tax rate area. Current law defines tax rate areas for the purpose of property tax allocation. This bill would require the county auditor, or other county officer designated by the county, to make publicly available on their internet website information about direct levies, as defined, including the range of combined direct levies assessed on real property. The bill would require a website posting that identifies contact information for each direct levy assessed within their jurisdiction, to also include the range of fees assessed on individual parcels of real property subject to the special district's assessment.

AB 252 (Rivas) Department of Conservation: Multibenefit Land Repurposing Incentive Program: administration.

Would require the Department of Conservation to establish and administer a program named the Multibenefit Land Repurposing Incentive Program for purposes of providing grants to groundwater sustainability agencies or counties, or other specified entities designated by groundwater sustainability agencies or counties, for the development or implementation of local programs supporting or facilitating multibenefit land repurposing at the basin scale. The bill would establish procedures for the department's administration of the program and would require the department to develop guidelines to implement the program and to exercise its expertise and discretion in awarding program funds to eligible applicants.

AB 339 (Lee) State and local government: open meetings.

Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

AB 361 (Rivas) Open meetings: local agencies: teleconferences

Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

AB 703 (Rubio) Open meetings: local agencies: teleconferences

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of

the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

AB 816 (Chiu) State and local agencies: homelessness plan.

Current law requires the Governor to create the Homeless Coordinating and Financing Council and to appoint up to 19 members of that council, as provided. Current law specifies the duties of the coordinating council, including creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. This bill, upon appropriation by the Legislature or upon receiving technical assistance offered by the federal Department of Housing and Urban Development (HUD), if available, would require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to, among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing.

AB 896 (Bennett) Oil and gas wells: hazardous or idle-deserted wells and facilities: liens: collections unit.

Current law establishes the Geologic Energy Management Division in the Department of Conservation, under the direction of the State Oil and Gas Supervisor, who is required to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field, so as to prevent damage to life, health, property, and natural resources. This bill would authorize the supervisor to impose a claim and lien upon the real property in the state owned by any operator or responsible party under specified conditions and in specified amounts. The bill would require the supervisor, on or before July 1, 2022, to establish a collections unit within the division to be responsible for: (1) collection of unpaid idle well fees from an operator, (2) establishing the timelines and criteria for determining if a well has been deserted, and (3) locating or collecting any costs from the operator or responsible party for a well that has been deserted or ordered to undergo well integrity testing or to be plugged and abandoned by the supervisor.

AB 1035 (Salas) Transportation: Road Maintenance and Rehabilitation Program: recycled material standards.

Current law creates the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. Current law requires the Department of Transportation and cities and counties receiving funds under the program, to the extent possible and cost effective, and where feasible, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating the streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. This bill would delete the condition in that requirement imposed on the department and those cities and counties to use advanced technologies and material recycling techniques to the extent possible.

AB 1500 (Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.

Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,700,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

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

The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

SB 1 (Atkins) Coastal resources: sea level rise

The California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures.

SB 5 (Atkins) Housing: bond act.

Would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6,500,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs. This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election in accordance with specified law.

SB 7 (Atkins) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.

Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of

greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.

SB 8 (Skinner) Density Bonus Law.

Would clarify, for various purposes of the Housing Crisis Act of 2019, that “housing development project” includes projects that involve no discretionary approvals, projects that involve both discretionary and nondiscretionary approvals, and projects that include a proposal to construct a single dwelling unit. The bill would specify that this clarification is declaratory of existing law.

SB 9 (Atkins) Housing development: approvals.

Would require a proposed housing development containing 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

SB 10 (Wiener) Planning and zoning: housing development: density.

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction’s General Plan to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

SB 12 (McGuire) Local government: planning and zoning: wildfires

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

SB 15 (Portantino) Housing development: incentives: rezoning of idle retail sites.

Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are

affordable to very low and low-income households. This bill, upon appropriation by the Legislature in the annual Budget Act or other statute, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of housing, as defined.

SB 16 (Skinner) Peace officers: release of records

Would, commencing July 1, 2022, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release

SB 19 (Glazer) Wine growers: tasting rooms.

Current law prohibits a winegrower or brandy manufacturer from selling wine or brandy to consumers, or engaging in winetasting activities, at more than one licensed branch premise. Current law limits the effect of this prohibition in connection with other premises, as specified. Current law generally provides that a violation of the Alcoholic Beverage Control Act is a misdemeanor. This bill would revise the prohibition described above to allow a winegrower or brandy manufacturer to sell wine or brandy to consumers, or to engage in winetasting activities, at up to 2 licensed branch premises. By broadening the definition of a crime, this bill would impose a state-mandated local program.

SB 27 (Skinner) Carbon sequestration: state goals: natural and working lands: registry of projects.

Would require, no later than July 1, 2022, the Natural Resources Agency, in coordination with the California Environmental Protection Agency, the State Air Resources Board, and the Department of Food and Agriculture, to establish carbon sequestration goals for natural and working lands, as provided. The bill would require the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond.

SB 45 (Portantino) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.

Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

SB 47 (Limon) Oil and gas: hazardous and idle-deserted wells and production facilities: expenditure limitations.

Current law prohibits the Geologic Energy Management Division from expending more than \$3,000,000 in any one fiscal year, for the 2018–19 fiscal year to the 2021–22 fiscal year, inclusive, and, commencing with the 2022–23 fiscal year, no more than \$1,000,000 in any one fiscal year for those purposes related to

hazardous wells, idle-deserted wells, hazardous facilities, and deserted facilities. Current law establishes the Oil and Gas Environmental Remediation Account in the Oil, Gas, and Geothermal Administrative Fund to be administered and managed by the division, and requires that the moneys in the account be used, upon appropriation by the Legislature, to plug and abandon oil and gas wells, decommission attendant facilities, or otherwise remediate sites that the supervisor determines could pose a danger to life, health, water quality, wildlife, or natural resources if there is no operator determined by the supervisor to be responsible for remediation or who is able to respond. This bill, commencing with the 2022–23 fiscal year, instead would indefinitely raise the cap on spending for these purposes from \$1,000,000 to \$10,000,000 in any one fiscal year.

SB 49 (Umberg) Business license fees: Coronavirus (COVID-19) pandemic: waiver: tax credit.

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2022, and before January 1, 2027, for eligible costs paid or incurred by a taxpayer that meets certain criteria, including that the taxpayer temporarily ceased business operations for an unspecified minimum number of days in response to an emergency order, as defined, including certain costs paid or incurred before January 1, 2022. The bill would designate the credit allowed under its provisions as the California Fair Fees Tax Credit. The bill would define “eligible costs” for these purposes as any amount of fees, as defined, paid to a state agency or a local government in connection with a permit, license, or other mandatory operating cost imposed by the state or a local government during the time in which the qualified taxpayer was required to cease business operations in response to an emergency order.

SB 52 (Dodd) State of emergency: local emergency: sudden and severe energy shortage: planned power outage.

Current law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or the territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. Current law defines a “sudden and severe energy shortage” as a rapid, unforeseen shortage of energy, resulting from, but not limited to, events such as an embargo, sabotage, or natural disasters, and that has statewide, regional, or local impact. This bill would expand the definition of “sudden and severe energy shortage” to include a “deenergization event,” defined as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a state of emergency and a local emergency.

SB 55 (Stern) Very high fire hazard severity zone: state responsibility area: development prohibition.

Would, in furtherance of specified state housing production and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

SB 59 (Caballero) Cannabis licenses

MAUCRSA, until January 1, 2022, authorizes a licensing authority, in its sole discretion, to issue a provisional license if the applicant has submitted a completed license application to the licensing authority, including evidence that compliance with the California Environmental Quality Act (CEQA) or local cannabis ordinances is underway, if applicable, as specified. This bill would extend the repeal date of these provisional license provisions to July 1, 2028. By extending provisional licensure, the

applications for which are required to be signed under penalty of perjury, the bill would expand the scope of the crime of perjury, and would thereby impose a state-mandated local program.

SB 63 (Stern) Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones: forest management.

Would, among other things, require the Director of Forestry and Fire Protection to identify areas of the state as moderate and high fire hazard severity zones and would require a local agency to make this information available for public review and comment, as provided. By expanding the responsibility of a local agency, the bill would impose a state-mandated local program.

SB 84 (Hurtado) Oil and gas wells: hazardous or idle-deserted wells and facilities.

Under current law, the operator, or the previous operator, as provided, as determined by the records of the State Oil and Gas Supervisor, of a deserted well that produced oil, gas, or other hydrocarbons or was used for injection is responsible for the proper plugging and abandonment of the well or the decommissioning of deserted production facilities. If the supervisor determines that the current operator does not have the financial resources to fully cover the cost of plugging and abandoning the well or the decommissioning of deserted production facilities, current law requires the immediately preceding operator to be responsible for the cost of plugging and abandoning the well or the decommissioning of deserted production facilities. This bill would require the supervisor to provide specified committees of the Legislature by July 1, 2022, with the process the supervisor has established to determine that the current operator does not have the financial resources to fully cover the cost of plugging and abandoning the well or the decommissioning of deserted production facilities, or for a previous operator.

SB 99 (Dodd) Community Energy Resilience Act of 2021.

Would set forth guiding principles for plan development, including equitable access to reliable energy, as provided, and integration with other existing local planning documents. The bill would require a plan to, among other things, ensure that a reliable electricity supply is maintained at critical facilities and identify areas most likely to experience a loss of electrical service. This bill contains other related provisions.

SB 213 (Cortese) Workers' compensation: hospital employees

Current law, until January 1, 2023, creates a rebuttable presumption of injury for various employees, including an employee who works at a health facility, as defined, to include an illness or death resulting from COVID-19, if specified circumstances apply. This bill would define "injury," for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. The bill would create rebuttable presumptions that these injuries that develop or manifest in a hospital employee who provides direct patient care in an acute care hospital arose out of and in the course of the employment. The bill would extend these presumptions for specified time periods after the hospital employee's termination of employment. Beginning January 1, 2023, the bill would include COVID-19 in the definitions of infectious and respiratory diseases.

SB 219 (McGuire) Property taxation: delinquent penalties and costs: cancellation: public health orders

Current property tax law requires the county tax collector to collect all property taxes and provides for the payment of taxes on the secured roll in 2 installments, which are due and payable on November 1 and February 1, respectively. This bill would authorize the auditor or the tax collector to cancel any penalty,

costs, or other charges resulting from tax delinquency upon a finding that failure to make a timely payment is due to a documented hardship, as determined by the tax collector, arising from a shelter-in-place order, as defined, if the principal payment for the proper amount of tax due is paid no later than June 30 of the fiscal year in which the payment first became delinquent. By increasing the duties of local agencies, this bill would impose a state- mandated local program.

SB 222 (Dodd) Water Affordability Assistance Program.

Would establish the Water Affordability Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low- income ratepayers and ratepayers experiencing economic hardship in California. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, as part of the Water Affordability Assistance Program established by the bill, direct water bill assistance, water bill credits, water crisis assistance, affordability assistance, and short-term assistance to public water systems to administer program components.

SB 284 (Stern) Workers' compensation: firefighters and peace officers: post-traumatic stress.

Current law, under the workers' compensation system, provides, only until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit, but applies only to injuries occurring on or after January 1, 2020. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would make that provision applicable to active firefighting members of the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs, and to additional peace officers, including security officers of the Department of Justice when performing assigned duties as security officers and the officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services, among other officers.

SB 286 (Min) Elections: county officers: consolidation with statewide elections.

Current law requires a candidate for a nonpartisan office who at a primary election receives votes on a majority of all the ballots cast for candidates for that office to be elected to that office. This bill would exempt from that requirement candidates for county nonpartisan offices, including a county office in a charter county, but not including a charter city and county, and would require the candidates who received the highest and second highest number of votes cast for nomination to that office to be placed on the ballot at the ensuing general election. By imposing new duties on counties, including county elections officials, the bill would impose a state-mandated local program.

SB 493 (Bradford) Local government financing: juvenile justice.

Would revise and recast 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 face significant public safety risk from crime, documentation of the effectiveness of the programs funded under these provisions, and a description of the target population funded under these provisions. The bill would require programs and strategies funded under these provisions to, among other things, be modeled on trauma-informed and youth development approaches and in collaboration with community-based organizations.

SB 555 (McGuire) Local agencies: transient occupancy taxes: online short-term rental facilitator: collection.

Would authorize a local agency, defined to mean a city, county, or city and county, including a charter city, county, or city and county, to enact an ordinance exclusively delegating its authority to collect any transient occupancy tax imposed by that local agency on short-term rentals to the California Department of Tax and Fee Administration and to enter into a contract with the department for purposes of registration, rate posting, collection, and transmission of revenues necessary to collect and administer any transient occupancy tax imposed on a short-term rental as specified in this bill. This bill would define a short-term rental to mean the occupancy of a home, house, a room in a home or house, or other lodging that is not a hotel or motel in this state for a period of 30 days or less and under any other circumstances specified by the local agency in its ordinance that is facilitated by an online short-term rental facilitator, as defined.

SB 586 (Bradford) Criminal Fees.

Current law imposes various fees contingent upon a criminal arrest, prosecution, or conviction for the cost of administering the criminal justice system, including lab fees, programs for persons convicted of sex offenses, drug testing, incarceration and house arrest, and record expungement, among others. This bill would repeal the authority to collect most of these fees, among others. The bill would make the unpaid balance of most court-imposed costs unenforceable and uncollectible and would require any portion of a judgment imposing those costs to be vacated. The bill would relieve a person who is sentenced to state prison or confined in a county jail from being required to pay any trial court filing fees or costs related to the person's underlying criminal conviction.

Conclusion

The Legislature adjourned for Spring Recess on March 25th and will reconvene on April 5th. The deadline for policy committees to meet and report to fiscal committees fiscal bills introduced in their house will be on April 30th, while the last day for policy committees to meet and report to the floor non-fiscal bills introduced in their house will be on May 7th.

The Legislature has started the budget subcommittee hearings but is continuing to leave most items open for discussion while they wait for the Department of Finance and the Administration to issue the May Revise, which will be in Mid-May. The budget subcommittees will then meet after the May Revise is issued to make decisions and then the budget conference committee will be meeting to adopt the budget by the June 15th deadline.

We look forward to discussing future priorities in the 2021-22 Legislative Session and 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.