

# South Bay Cities Council of Governments

March 28, 2019

TO: SBCCOG Board of Directors

FROM: SBCCOG Steering Committee

RE: Bills to Monitor and for Action – **Status as of March 20, 2019**

## Adherence to Strategic Plan:

Goal B: Regional Advocacy. Advocate for the interests of the South Bay

### ECONOMIC DEVELOPMENT

AB 245 (Muratsuchi)	California Aerospace and Aviation Commission: Would establish, within the Governor's Office of Business and Economic Development, the California Aerospace and Aviation Commission consisting of 17 members, as specified, to serve as a central point of contact for businesses engaged in the aerospace and aviation industries and to support the health and competitiveness of these industries in California. Would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace and aviation industries and would require the commission to report and provide recommendations to the Governor and the Legislature, as specified	<b>RECOMMEND SUPPORT</b>	Assembly Jobs, Economic Development and the Economy Committee Hearing Date: 4/2/19
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### ENVIRONMENT

AB 470 (Limón)	California Green Business Program. Would establish the California Green Business Program within the California Environmental Protection Agency. Would require the California Green Business Program to, among other things, develop baseline, beyond compliance, sector-specific environmental standards, as defined, for green business certification programs operated by local governments or their designees. Would also provide for the establishment of these local programs, which would certify small- and medium-sized businesses and public agencies as California green businesses, or an equivalent designation of the local program's choosing, for voluntarily adopting environmentally preferable business practices, including, but not limited to, increased energy efficiency, pollution prevention, reduced greenhouse gas emissions reduction, water conservation, waste reduction practices, & efficient and active transportation initiatives.	MONITOR	Assembly Natural Resources Committee Hearing Date: 3/25/19
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FINANCE

<p>AB 147 (Burke)</p>	<p>Use taxes: collection: retailer engaged in business in this state: marketplace facilitators. Specifies that, on and after April 1, 2019, a retailer engaged in business in this state includes any retailer that, in the preceding calendar year or the current calendar year, has a cumulative sales price from the sale of tangible personal property for delivery in this state that exceeds \$500,000. Would allow the department to grant relief to certain retailers engaged in business in this state for specified interest or penalties imposed on use tax liabilities due and payable for tax reporting periods beginning April 1, 2019 and ending December 31, 2022. URGENCY LEGISLATION TO TAKE EFFECT IMMEDIATELY</p> <p>ANALYSIS: the fiscal effect of these new rules will be the collection of use tax revenue of approximately \$10 million per year from retailers who sell into California but who do not have a physical presence in the state.</p>	<p><b>RECOMMEND SUPPORT</b></p> <p>LCC supports</p>	<p>3/14/19 Senate Desk</p>
<p>SB 5 (Beall)</p>	<p>Local-State Sustainable Investment Incentive Program. Would establish in state government the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. Would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Sustainable Investment Incentive Committee to participate in the program and would authorize the committee to approve or deny applications for projects meeting specific criteria. Would require the Sustainable Investment Incentive Committee to adopt guidelines for applications and approve no more than \$200,000,000 per year from July 1, 2020, to June 30, 2025, and \$250,000,000 per year from July 1, 2025, to June 30, 2029, in reductions in annual ERAF contributions for applicants for projects approved pursuant to this program. Would provide that eligible projects include, among other things, construction of workforce and affordable housing, certain transit oriented development, and projects promoting strong neighborhoods.</p>	<p><b>RECOMMEND SUPPORT</b></p> <p>LCC supports</p>	<p>Senate Government &amp; Finance Committee and Senate Housing Committee Hearing Date: 3/20/19</p>

HOUSING & HOMELESSNESS

<p>AB 36 (Bloom)</p>	<p>Affordable housing: rental prices. Would state that, among other things, affordable housing has reached a crisis stage that threatens the quality of life of millions of Californians as well as the state economic outlook. Would express the Legislature’s intent to enact legislation in order to stabilize rental prices and increase the availability of affordable rental housing.</p>	<p>MONITOR</p>	<p>12/4/18 From printer</p>
<p>AB 139 (Quirk-Silva)</p>	<p>Emergency and Transitional Housing Act of 2019. The Planning and Zoning Law requires, the planning agency to investigate and make recommendations regarding reasonable means to implement the general plan by April 1 of each year an annual report that includes a listing of sites rezoned to accommodate that portion of RHNA that can be accommodated. This bill would additionally require the report to include the number of emergency shelter beds currently available within the jurisdiction and the number of shelter beds that the jurisdiction has contracted for that are located within another jurisdiction, as specified.</p>	<p>MONITOR</p>	<p>1/24/19 Assembly Housing &amp; Community Development Committee</p>
<p>AB 148 (Quirk-Silva)</p>	<p>Regional transportation plans: sustainable communities strategies. Would require each sustainable communities strategy to also identify areas within the region sufficient to house an 8-year projection of the emergency shelter needs for the region, as specified. For the 5th and each subsequent update to the sustainable communities strategy, would require the metropolitan planning organization to, among other things, (1) identify the region’s progress in the development of housing and emergency shelters in the areas within the region that were identified, in the prior sustainable communities strategy, as sufficient to house the 8-year projection of the region’s regional housing and emergency shelter needs, and (2) determine whether the development will successfully meet the 8-year projection. Would require the state board’s report, as described above, to include data-supported metrics that identify housing and emergency shelter developments related to the 8-year projection of the regional housing and emergency shelter needs that was assumed in the prior sustainable communities strategy, and the physical location of housing and emergency shelters identified in the most recently submitted sustainable communities strategy update.</p>	<p>MONITOR  CALCOG opposes unless amended</p>	<p>1/24/19 Assembly Transportation Committee</p>

<p>AB 302 (Berman)</p>	<p>Parking: homeless students. Would require a community college campus that has parking facilities on campus to grant overnight access to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college, and would require the governing board of the community college district to determine a plan of action to implement this requirement. By imposing additional duties on community college districts, this bill would impose a state-mandated local program.</p>	<p>MONITOR</p>	<p>Assembly Higher Education Committee Hearing Date: 4/2/19</p>
<p>SB 6 (Beall)</p>	<p>Housing production. Would state the intent of the Legislature to enact legislation that would help encourage housing production throughout the state, including streamlining approval processes, identifying sufficient and adequate sites for housing construction, and penalizing local planning that restricts housing production.</p>	<p>MONITOR</p>	<p>Senate Housing Committee Hearing Date: 4/2/19</p>
<p>SB 50 (Wiener)</p>	<p>Planning and zoning: housing: equitable communities incentive. Would require a city, county, or city and county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development, as defined, that satisfies specified criteria, including, among other things, that the residential development is either a job-rich housing project or a transit-rich housing project, as those terms are defined; the site does not contain, or has not contained, housing occupied by tenants or accommodations withdrawn from rent or lease in accordance with specified law within specified time periods; and the residential development complies with specified additional requirements under existing law. Would require that a residential development eligible for an equitable communities incentive receive waivers from maximum controls on density and automobile parking requirements greater than 0.5 parking spots per unit, up to 3 additional incentives or concessions under the Density Bonus Law, and specified additional waivers if the residential development is located within a 1/2-mile or 1/4-mile radius of a major transit stop, as defined. Would authorize a local government to modify or expand the terms of an equitable communities incentive, provided that the equitable communities incentive is consistent with these provisions.</p>	<p>OPPOSE (2/11/19)  (ltr to Sen Housing Comm 2/20/19)</p>	<p>Senate Housing Committee Hearing Date: 4/2/19</p>
<p>SB 127 (Wiener)</p>	<p>Transportation funding: active transportation: complete streets. Would require Caltrans, by January 1, 2021, "when undertaking any capital improvement project on a state highway or a local street crossing a state highway that is funded through the SHOPP</p>	<p>OPPOSE (2/11/19)</p>	<p>1/24/19 Senate Transportation Committee</p>

	to include new pedestrian and bicycle facilities, or improve existing facilities, as part of the project." Would establish a Division of Active Transportation within Caltrans to oversee the existing Active Transportation Program and require that an undersecretary of the Transportation Agency be assigned to it.	(ltr to Sen Housing Comm 2/20/19	
SB 330 (Skinner)	Housing Crisis Act of 2019. This bill, until January 1, 2030, with respect to land where housing is an allowable use, would prohibit the legislative body of a county or city, defined to include the electorate exercising its local initiative or referendum power, in which specified conditions exist, from enacting an amendment to a general plan or adopting or amending any zoning ordinance that would have the effect of (A) changing the zoning classification of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan land use designation and zoning ordinances of the county or city as in effect on January 1, 2018; (B) imposing a moratorium on housing development within all or a portion of the jurisdiction of the county or city, except as provided; (C) imposing design standards that are more costly than those in effect on January 1, 2019; or (D) establishing a maximum number of conditional use or other discretionary permits that the county or city will issue for the development of housing within all or a portion of the county or city, or otherwise imposing a cap on the number of housing units within or the population of the county or city. Would, notwithstanding these prohibitions, allow a city or county to prohibit the commercial use of land zoned for residential use consistent with the authority of the city or county conferred by other law. Would state that these prohibitions would apply to any zoning ordinance adopted or amended on or after January 1, 2018, and that any zoning ordinance adopted, or amendment to an existing ordinance or to an adopted general plan, on or after that date that does not comply would be deemed void.	<b>RECOMMEND OPPOSE</b>	2/28/19 Senate Government & Finance Committee

**PUBLIC SAFETY**

AB 1190 (Irwin)	Unmanned aircraft: state and local regulation: limitations. Would, among other things, prohibit a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. Would include the operation of small unmanned aircraft systems within the definition of hazardous recreational	MONITOR	3/11/19 Assembly Privacy and Consumer Protection and Judiciary Committees
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	activity for purposes of public entity liability. Would authorize a state or local agency to adopt regulations to enforce a requirement that a small unmanned aircraft system be properly registered under existing federal regulations. Would also authorize a state or local agency to require an unmanned aircraft operator to provide proof of federal, state, or local registration to licensing or enforcement officials.		
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TRANSPORTATION

AB 1286 (Muratsuchi)	Shared mobility devices: agreements. Would require a shared mobility service provider, as defined, to enter into an agreement with the city or county with jurisdiction over the area of use that requires the provider to maintain a specified amount of general liability insurance and prohibits the provider from including specified provisions in a user agreement before distributing a shared mobility device within that jurisdiction. Would define shared mobility device to mean a motorized scooter, bike, skateboard, or other device. Would require a city or county to adopt safety rules regarding the use of the shared mobility devices in its jurisdiction before the shared mobility service provider may offer shared mobility devices for rent or use.	MONITOR	3/11/19 Assembly Privacy and Consumer Protection and Judiciary Committees
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FEDERAL

HR 530 (Eshoo)	Accelerating Wireless Broadband Deployment by Empowering Local Communities Act of 2019. Overturns the FCC's September order preempting local authority over small cell wireless infrastructure on January 14, the day the order took effect. Would not preclude future FCC or congressional preemption of cities on wireless infrastructure, but it would halt the FCC's harmful preemption order, which ignored the input of hundreds of local governments. The bill also complements ongoing efforts to overturn the FCC order in federal courts, and the investigation by congressional leaders into alleged attempts by the FCC to thwart that litigation.	SUPPORT & REQUEST CO-SPONSORS (2/11/19)  Endorsed by NLC, NATOA, NAC	1/14/19 House Energy & Commerce Committee
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## STATE LEGISLATIVE CALENDAR

- Feb. 22 Last day for bills to be introduced
- Apr. 11 – April 22 Spring Recess
- Apr. 26 Last day for policy committees to meet and report to fiscal committees fiscal bills introduced in their house
- May 3 Last day for policy committees to meet and report to the floor non-fiscal bills introduced in their house
- May 10 Last day for policy committees to meet prior to June 3
- May 17 Last day for fiscal committees to meet and report to the floor bills introduced in their house. Last day for fiscal committees to meet prior to June 3
- May 28-31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees
- May 31 Last day for each house to pass bills introduced in that house
- June 3 Committee meetings may resume
- June 15 Budget Bill must be passed by midnight
- July 10 Last day for policy committees to hear and report fiscal bills to fiscal committees
- July 12 Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment
- Aug. 12 Legislature reconvenes from Summer Recess
- Aug. 30 Last day for fiscal committees to meet and report bills
- Sept. 3-13 Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees
- Sept. 6 Last day to amend bills on the floor
- Sept. 13 Last day for any bill to be passed. Interim Recess begins upon adjournment