

TO: Members, County of Santa Barbara Legislative Committee

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

DATE: October 1, 2019

The Legislature recessed the first year of the 2019-20 session on Friday, September 13th, before being briefly halted by an anti-vaccine protester that threw a cup with blood at State Senators on Friday afternoon, forcing the Legislators to finish session in another hearing room. SB 276 (Pan) was signed by the Governor on September 9th after multiple disruptions by the anti-vaccine activists in both the Senate and Assembly. The bill will increase state oversight of medical exemptions to mandatory vaccinations required for school entry and would standardize reporting of such exemptions, the County was in support of this bill.

The Legislators have now returned to their districts for Fall Interim Recess, which means that any legislation that isn't currently enrolling or isn't before the Governor's desk will become a two-year bill. As of September 27, the Governor had signed 375 bills and vetoed 19 bills, for a total of 394 bills and a veto rate of 4.8%. Governor Newsom has 643 bills left to act on before midnight on Sunday, October 13th.

Emergency Response

The Assembly Committee on Governmental Organization and the Select Committee on the Nonprofit Sector will be convening a joint information hearing at the Santa Barbara County Education Office Auditorium on October 23, 2019 at 10:00am on the role of nonprofits in emergency preparedness and response, and will include presentations from Cal OES and CAL Volunteers.

On September 13th, CSAC held a meeting in Sacramento with stakeholders around the state regarding public safety power shutdowns. The meeting was held in order to discuss and improve collaboration between counties, IOUs, and the state around de-energization policy. The conversation focused on how IOU-run Community Resource Centers (CRCs) can provide communities needed resources, including charging stations, cooling station and other services. IOUs provided insight into its contracting and CRC location processes to help give context to the discussion. In addition, concerns were expressed regarding medically power dependent residents in communities and how to serve the needs of vulnerable populations.

The following legislation on wildfire that could be of interest to the County include:

SB 167 (Dodd): This bill modifies the requirement in existing law that an electrical corporation include, as part of its statutorily required wildfire mitigation plan, protocols related to mitigating the public safety effects of disabling reclosers and deenergizing distribution lines. Specifically,

this bill requires the protocols to include consideration of the public safety effects of disabling reclosers and deenergizing distribution lines on customers who receive medical baseline allowances. The bill is in enrollment, and on the way to the Governor's desk.

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

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

SB 247 (Dodd): This bill would require investor-owned utilities (IOUs) to comply with vegetation management requirements within their wildfire mitigation plans. This bill would require Cal FIRE to verify vegetation management work completed by the IOUs to confirm compliance with their submitted wildfire mitigation plans. The bill is in enrollment, and on the way to the Governor's desk.

SB 560 (McGuire): This bill would expand the protocols required as a result of the deenergizing of electrical lines initiated by an electrical corporation (electric IOU), a local publicly owned utility (POU), or an electrical cooperative (co-op) to mitigate the impact of the event on specified customers and critical services and specifies the duties of the facilities-based mobile telephony service providers (wireless carriers) before and during a de-energization event. The bill is in enrollment, and on the way to the Governor's desk.

AB 1516 (Friedman): This bill would improve defensible space and electrical transmission line vegetation clearance requirements in fire threat areas and would help Cal Fire provide assistance with fuels management to counties in order to protect against future devastating wildfires. The bill is in enrollment, and on the way to the Governor's desk.

Housing/Homelessness

The first meeting of Governor Newsom's Homeless and Supportive Housing Advisory Task Force took place on September 6th, at the Stanislaus Veterans Center in Modesto. The agenda included five discussion items open to the public, including presentations by the Homeless Coordinating and Financing Council, Stanislaus County, the City of Modesto, the working group on behavioral health, and the working group on shelters/navigation centers. Governor Newsom's Task Force is charged with meeting throughout the year in cities and counties around the state to observe best practices firsthand and receive input from governments and constituents statewide to propose solutions to address the homelessness epidemic. The next meeting has not been officially scheduled yet.

On September 16th, Governor Gavin Newsom, along with the mayors of the state's 13 largest cities, CSAC and the California League of Cities wrote a letter to the President to request the federal government to take the following steps immediately to address homelessness in California:

- Provide 50,000 more vouchers, through a combination of Housing Choice Vouchers and Veterans Affairs Supportive Housing (VASH) vouchers, two longstanding key programs that provide needed rental subsidies for extremely low-income Americans;
- Increase the value of those vouchers to account for the high cost of rents in America's cities and counties; and,
- Create a program based on best-practices to incentivize landlords to work with voucher holders to find stable housing.

In the letter, Governor Newsom specifically stated that, "We can all agree that homelessness is a national crisis decade in the making that demands action at every level of government – local, state, and federal. In California, state and local governments have ramped up action to lift families out of poverty by investing in behavioral health, affordable housing, and other homeless programs...In contrast, your Administration has proposed significant cuts to public housing and programs like the Community Development Block Grant...Yet in recent days, you have publicly acknowledged the national crisis of homelessness. On behalf of a broad, bipartisan coalition of California's elected mayors and members of county Board of Supervisors, we invite you to collaborate with us on solutions – tied to federal investments – to address homelessness and housing insecurity."

The Governor also issued a statement on AB 1482 (Chiu), stating that, "In this year's State of the State address, I asked the Legislature to send me a strong renter protection package. Today, they sent me the strongest package in America. These anti-gouging and eviction protections will help families afford to keep a roof over their heads, and they will provide California with important new tools to combat our state's broader housing and affordability crisis."

AB 1482 (Chiu), would limit rent-gouging in California by placing an upper limit on annual rent increases: 5% plus inflation, and also would require that a landlord have and state a just cause in order to evict tenants who have occupied the premises for a year. The bill is currently at the Governor's desk.

SB 5 (Beall), which is also at the Governor's desk, would create an ongoing funding partnership between the state and California local governments, allowing cities and counties to access needed property tax resources to ensure long-term funding for both affordable housing and the infrastructure to support sustainable development. Under this measure, counties and cities would access significant new funding, ramping up to \$2 billion annually over time.

CSAC is holding a Homelessness Policy Workshop on November 4th, at the Sheraton Grand Sacramento Hotel where attendees will hear from experts on the state of homelessness in California, funding opportunities, regional approaches and planning, litigation considerations, city and county-tested best practices and projects, building community partnership and engagement, and state-level efforts and coordination.

340B Program

The Santa Barbara County Public Health Department has notified the County how the Governor's Executive Order N-01-19 will have a major impact on the five health care centers and three homeless shelter clinics operated by the Public Health Department.

In January, Governor Newsom signed an Executive Order to create a single-purchaser system for prescription drugs in California. This will transition pharmacy services in Medi-Cal Managed Care to fee-for-service by January 2021, eliminating savings that the Public Health Department's health centers receive from the 340B Drug Discount Program (340B).

The 340B program currently allows Santa Barbara County to greatly expand the County's services to patients. The County has since discussed the impact with the Governor's office and has scheduled a meeting with the California Health and Human Services Agency to discuss the County's concerns.

State Budget

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

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

The Legislature also passed several clean up and technical trailer bills in the last month of session, that are currently on the Governor's desk, the bills include:

SB 109: The bill amends the 2019 Budget Act to reflect updates and technical corrections identified when the budget agreement was made.

SB 112: The trailer bill makes statutory changes related to state administration necessary to implement the Budget Act of 2019.

SB 113: This bill is the housing trailer bill for the 2019-20 budget.

AB 114: This bill is a clean-up budget trailer bill related to K-12 and higher education.

AB 115: This is a health Budget Trailer Bill for 2019-20. It contains necessary changes related to the Budget Act of 2019. This bill would implement a managed care organization (MCO) provider tax, effective July 1, 2019, contingent upon federal approval, to be effective for 3.5 fiscal years 2019-20, 2020-21, 2021-22, and the first half of 2022-23.

AB 118: This bill provides legislative ratification of the memorandum of understandings (MOUs) agreed to by the state and Bargaining Units (BU) 1, 2, 3, 4, 5, 7, 11, 13, 14, 15, 17, 20, and 21.

AB 121: This bill provides for statutory clean-up changes necessary to enact human services related provisions of the Budget Act of 2019. As part of the 2019-20 budget package, AB 121 makes statutory changes to implement the budget act.

Highlights in the State Budget/Trailer Bills include:

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

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

Cannabis Trailer Bill – AB 97

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

Homelessness – AB 101

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

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

Program funds may be used on:

- Rental assistance and rapid rehousing.
- Operating subsidies in new and existing affordable or supportive housing units, emergency shelters, and navigation centers. Operating subsidies may include operating reserves.
- Incentives to landlords, including, but not limited to, security deposits and holding fees.
- Outreach and coordination, which may include access to job programs, to assist vulnerable populations in accessing permanent housing and to promote housing stability in supportive housing.

- Systems support for activities necessary to create regional partnerships and maintain a homeless services and housing delivery system, particularly for vulnerable populations including families and homeless youth.
- Delivery of permanent housing and innovative housing solutions such as hotel and motel conversions.
- Prevention and shelter diversion to permanent housing.
- New navigation centers and emergency shelters based on demonstrated need.

IHSS MOE Proposal – SB 80

The Governor’s proposal to revise the County IHSS Maintenance of Effort (MOE) was adopted by the Budget Conference Committee and is included in the Human Services omnibus budget trailer bill - SB 80. The Governor’s May Revision continues his January Budget proposal to revise the County IHSS Maintenance of Effort (MOE). This includes lowering the County IHSS MOE base, reducing the inflation factor to four percent, and stopping the redirection of 1991 Realignment VLF growth from the Health and Mental Health subaccounts to Social Services. The County IHSS MOE will be rebased in 2019-20 down to \$1.56 billion. Based on updated Realignment projections and increased IHSS caseload and cost projections, this will require an increased General Fund commitment above the January projection. The increased General Fund costs for IHSS would be \$296.7 million in 2019-20, a \$55 million increase from January, and growing to \$615.3 million in 2022-23, which is a \$68 million increase above the January estimate. This represents a total increased General Fund commitment for IHSS of \$1.86 billion over the first four years of this new structure. SB 80 was signed on June 27, 2019.

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

Continuum of Care Reform Group Home Extension

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

AB 85 and Medi-Cal Expansion for Undocumented Young Adults

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

Infectious Disease Prevention

The Governor included a one-time \$40 million General Fund investment to support local health departments in meeting the rising communicable disease needs of their communities, and the Legislature approved the expenditure. Of the \$40 million, \$4 million will be retained by the state

Department of Public Health for administration of the funding as well as local grants to counties. Also, \$1 million will be earmarked for Tribal health entities. The funding will be available in a lump sum in the budget year, but counties will have three years to spend it. This proposal was championed by the County Health Executives Association of California and the Health Officers Association of California. The County was in support of the Governor's May Revise Proposal.

Investments in Emergency Readiness, Response and Recovery

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

Payment at the Time of Placement

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

Foster Parent Recruitment, Retention, and Support

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

CalWORKs Single Allocation

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

Housing

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

loan program and the state's Low Income Housing Tax Credit program. It appropriates \$500 million in one-time funding for the mixed income loan program. The Budget provides a one-time investment of \$500 million to expand the state's Low Income Housing Tax Credit program.

Judicial Branch

The Budget includes increased funding for a variety of justice related priorities. First, the Budget invests a combination of federal reimbursements, which are estimated to be \$34 million, and \$20 million ongoing General Fund, totaling \$54 million, for dependency counsel. The total dependency counsel funding due to these augmentations will be \$190.7 million annually. The Budget additionally provides \$30.4 million General Fund in 2019-20, and \$36.5 million General Fund in 2020-21 and ongoing, to allocate 25 trial court judgeships. Finally, the Budget includes \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund the implementation, operation, or evaluation of programs or efforts in 8 to 10 courts related to pretrial decision-making.

Cap & Trade Expenditure Plan

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

Cannabis and Public Banking

On the Legislative front, SB 51 (Hertzberg) was pulled by the author and co-sponsor Treasurer Fiona Ma and has been made into a two-year bill. Senator Hertzberg announced on September 9th that he is planning on re-introducing the legislation in early 2020, stating that, "If we're going to do this, we have to do it right...We owe it to the dozens of cities, counties, and cannabis industry officials who have been supporting this effort to see it through." The Autor's office also stated that, "Because the bill contains an urgency clause and has already cleared a majority of legislative hurdles, there remains a path for it to go into effect in early 2020."

SB 51 provides for the licensure and supervision of cannabis limited charter banks and credit unions authorized to offer limited depository services to cannabis businesses. The bill also restricts the activities of cannabis limited charter banks and credit unions to accepting deposits and issuing and redeeming special purpose checks and prohibits a cannabis limited charter bank or credit union from engaging in banking activity with any other financial institution that lacks a limited purpose charter.

SB 67 (McGuire) would have extended temporary cannabis licenses until September 15, 2019, issued by the California Department of Food and Agriculture if the temporary license holder submitted an application and fees for an annual license before the temporary license's expiration

date. The author didn't pursue this bill due to the passing of the Cannabis Trailer Bill – AB 97. The bill was pulled out of the Committee and is now a two-year bill. The County was opposed to the bill.

The County has continued its *opposed unless amended* position on SB 153 (Wilk) and has sent a request for veto letter to the Governor's office. The bill would update California's provisions regulating cultivation and testing of industrial hemp to conform to new requirements for state plans under the federal Agriculture Marketing Act of 1946. The County believes that local governments retain plenary land use authority regarding industrial hemp under existing law, which establishes only limited state-level requirements, and does not occupy the field of hemp regulation. As the state rules become more comprehensive, local agencies may face arguments that these state laws and regulations preempt local control over industrial hemp. Strong local control language is consequently appropriate to avoid these disputes, and the expensive and unnecessary litigation that may ensue. The bill is in enrollment, and on the way to the Governor's desk.

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

AB 857 (Chiu) would authorize local agencies to form public banks, subject to approval by the Department of Business Oversight and the Federal Deposit Insurance Corporation. The bill passed the Legislature on September 13th and is now on the Governor's desk.

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

Bills of Interest to the County

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

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

AB 138 (Bloom) California Community Health Fund

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

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

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

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

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

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

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

AB 388 (Limon) Alzheimer's disease

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

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

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

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

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

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

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

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

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

AB 516 (Chiu) Authority to remove vehicles

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

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

The bill would authorize the State Lands Commission (Commission), when considering the approval of an assignment, transfer, or sublet of an oil and gas lease, to consider whether a proposed assignee is likely to comply with the provisions of the assigned, transferred, or sublet lease for the duration of the lease term. Additionally the bill will require a lessee, assignee, transferee, sublessee, or operator to submit to the commission, in writing, a notarized affidavit of liability for the decommissioning of production facilities and related infrastructure under the

jurisdiction of the commission within six months after the date on which a lease terminates or expires, and require the lessee, assignee, transferee, sublessee, or operator to also covenant in the notarized affidavit, to commence the process of decommissioning the production facilities and related infrastructure within one year after the date on which the lease terminates or expires. The bill passed the Senate Floor with a 27-10 vote, and then was concurred in the Assembly. The bill was signed by the Governor on July 30th. The County was in support of the bill.

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

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

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

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

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

This bill would rename the Division of Oil, Gas, and Geothermal Resources the Geologic Energy Management Division to the Geologic Energy Management Division and authorize the Oil and Gas Supervisor to require an operator to provide an additional amount of security in an amount not to exceed the reasonable costs of plugging and abandoning all of the operator's wells or \$30 million. The bill is in enrollment, and on the way to the Governor's desk. The County is in support of the bill.

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

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

AB 1550 (Bonta) Crisis stabilization units: psychiatric patients

The bill would authorize a crisis stabilization unit, at the discretion of a mental health plan (MHP), to provide medically necessary crisis stabilization services to individuals beyond 24

hours, but not more than 48 hours, when specified requirements are met. The bill was placed on the inactive file and is now a two-year bill. The County does not have a position.

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

ACA 1 is a constitutional amendment that would have made it easier for local governments to increase property taxes and would have asked voters to decide whether property tax increases for affordable housing and infrastructure could be approved by a 55% vote instead of two-thirds vote. ACA 1 failed to pass on the Assembly Floor with a vote of 44-20 on August 19th. As a proposed constitutional amendment, ACA 1 needed approval by two-thirds of the Assembly. The Author requested a motion to reconsider, but the bill was not taken up again.

SB 46 (Jackson) State government: emergency services

This bill expands on last year's SB 821 (Jackson, Ch. 615, stats. 2018) by helping to ensure that more California residents will receive critical emergency alerts by expanding California's opt-out emergency notification program to include cities and universities, and by clarifying that alerting authorities may use mobile telephone subscriber data to enroll residents in local alerting systems. The bill would also require a local government that enters into an agreement to access information of resident account holders to, upon receipt of that information, notify residents that they have been entered into the public emergency warning system, and require a local government that enters into an agreement to access information to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency's access to the contact information of the resident from a public utility. The bill was held on the Senate Appropriations Committee Suspense File, and is now a two-year bill. The County is in support of this bill.

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

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

SB 67 (McGuire) Cannabis: temporary licenses

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

SB 144 (Mitchell) Fees: criminal administrative fees

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

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

The California Community Choice Association (CalCCA), adopted a position of neutral on SB 155, by Senator Steve Bradford, which would increase PUC enforcement authority in RPS and IRP filings of all load serving entities (LSEs). While CalCCA had originally opposed the bill, amendments taken in the Assembly Committee on Natural Resources have addressed their main concerns, so they removed their "oppose, unless amended" position. The County followed CalCCA's lead and is also neutral on the bill. The bill is in enrollment, and on the way to the Governor's desk.

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

SB 160 (Jackson) Emergency Services: Cultural Competence

This bill requires a county to integrate cultural competence into its emergency plan, upon the next update to its emergency plan, and requires counties to provide a forum for community engagement in geographically diverse locations in order to engage with culturally diverse communities. The bill is in enrollment, and on the way to the Governor's desk. The County is in support of this bill.

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

This bill would improve the local planning process and incorporates actionable data that can decrease fire risk to our community. The bill would, among other things, impose new planning requirements on local governments and require cities and counties to make specified findings on fire standards prior to permitting development in very high-risk fire areas. The County is in support. The bill was not taken up on the Assembly Floor, and is now a two-year bill.

SB 224 (Grove) Grand theft: agricultural equipment

This bill creates a separate grand theft statute for agricultural equipment and requires the proceeds of the fine imposed following a conviction of the new provision to be allocated to the

Central Valley Rural Crime Prevention Program or the Central Coast Rural Crime Prevention Program. The County is in support of this bill. The bill passed the Assembly Floor with a 71-0 vote, and was signed by the Governor on July 12th. The County was in support of this bill.

SB 276 (Pan) Immunizations: Medical Exemptions

This bill increases state oversight of medical exemptions to mandatory vaccinations required for school entry and standardizes reporting of such exemptions. The County is in support of the bill. The bill passed the Assembly Floor and was signed by the Governor on September 9th.

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

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

SB 528 (Hueso) California Infrastructure and Economic Development Bank

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

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

The bill phases in a requirement that oil and gas well operators provide estimates of the cost to plug and abandon wells and decommission attendant oil and gas production facilities, as specified, and requires the Division of Oil, Gas, and Geothermal Resources to establish criteria for these estimates and perform certain related inspections, among other things. The bill is in enrollment, and on the way to the Governor's desk. The County is in support of this bill.

SB 573 (Chang) Homeless Emergency Aid Program: funding

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

SR 12 (Jackson) Relative to the 50th anniversary of the Santa Barbara oil spill

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

Conclusion

The Legislature recessed on September 13th and are currently in their districts until January 6th when the Legislature will reconvene for the second year of the 2019-20 session. The Governor has hundreds of bills currently pending on his desk, which he will have to act on by the October 13th deadline. The Governor and the Department of Finance will be developing the budget proposal for the 2020-21 Fiscal Year, which the Governor will submit in January. The deadline for bill introductions next year will be in mid-February.

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