



RCRC 2023 LEGISLATIVE DIGEST

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RCRC 2023 LEGISLATIVE DIGEST

As a result of the 2023 legislative session California will see nearly 900 new laws take effect in 2024, many impacting local governments statewide. This Legislative Digest is intended to outline some of those statutory changes affecting RCRC member counties, as well as measures that either failed passage in the Legislature, or were not signed by the Governor, but will continue to be eligible for discussion in the upcoming legislative year.

Below are a few highlights of statutory changes that may have significant impacts for counties in 2024 and beyond.

AB 338 (Aguiar-Curry): Fuel reduction work, changes the definition of public works to include fuels reduction projects done under contract, requires prevailing wage for projects paid for in part or whole by public funds, as of January 1, 2026, and January 1, 2027, for nonprofit organizations. Projects exempted from these requirements include prescribed fire and grazing projects, projects performed by tribal entities or on tribal lands, and contracts that do not exceed \$500,000. RCRC strongly opposed this measure.

AB 505 (Ting): The Office of Youth and Community Restoration, revises several provisions negotiated in SB 823 (2020), the measure that realigned Division of Juvenile Justice responsibilities from the state to counties. Specifically, this measure (1) makes changes to the leadership structure of the local planning body, (2) revises the local planning process and the process by which the Office of Youth and Community Restoration (OYCR) reviews local implementation plans as well as increases the frequency of required plan updates, and (3) expands the scope of OYCR's role and authority.

AB 557 (Hart): Open meetings: local agencies: teleconferences, eliminates the sunset on the emergency remote meeting procedures added to California Government Code section 54953 (AB 361 (2021)). Additionally, AB 557 adjusts the timeframe for the resolutions passed to renew an agency's temporary transition to emergency remote meetings to 45 days, up from the previous number of 30 days. RCRC supported this measure.

AB 1484 (Zbur): Temporary public employees, requires inclusion of temporary employees in the same bargaining unit as permanent employees upon request of the recognized employee organization to a local public employer. Amendments taken at the end of legislative session removed problematic provisions regarding grievance procedures, leaving those details to be negotiated in local bargaining agreements.

SB 43 (Eggman): Behavioral health, expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) by redefining grave disability to include individuals with a substance use disorder-only condition (i.e., without a mental health diagnosis) and modifies hearsay evidentiary standards for conservatorship hearings. Counties are unable to meet the current demand for placements, and conserved individuals in rural areas are often placed

hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem.

Several bills approved by the Legislature must go before the voters in order to become effective. The following measures will be considered, in whole or in part, on either the March 2024 or November 2024 ballots.

AB 531 (Irwin): The Behavioral Health Infrastructure Bond Act of 2023, enacts the Behavioral Health Infrastructure Bond Act of 2023, a major component of the Governor’s behavioral health modernization proposal. The measure includes \$6.38 billion for housing and treatment, including acute psychiatric beds. Select sections of AB 531 and SB 326 (Eggman) – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot. RCRC supported this measure in concept.

ACA 1 (Aguilar-Curry): Local government financing, will lower the vote threshold to 55 percent for approval of local bonded-indebtedness and specially-dedicated taxes imposed for a variety of local capital projects (affordable housing, water, broadband, etc.). This constitutional amendment is scheduled for the November 2024 ballot. RCRC supported this measure.

ACA 13 (Ward): Voting thresholds, requires any constitutional amendment proposed by initiative, that increases a voter approval threshold for future ballot measures, itself be approved by the same voter approval threshold, as opposed to a simple majority vote. The measure would also preserve the right of cities, counties, and special districts to place advisory questions on the ballot to ask voters their opinion on issues. This measure will be on the November 2024 ballot.

SB 326 (Eggman): The Behavioral Health Services Act, revises and recasts the Mental Health Services Act (MHSA) as the Behavioral Health Services Act (BHSA), representing the second major component of the Governor’s behavioral health reform package. Select sections of SB 326 and AB 531 – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot. The bill would recast the MHSA by revising the distribution of MHSA funds, expanding it to allow treatment of substance use disorders, changing the county planning process, and expanding services for which counties and the state can use funds.

The RCRC Government Affairs staff advocated on behalf of member counties on hundreds of bills over the last year. Below is a list of significant bills representing these efforts, organized by policy area.

AGRICULTURE

A number of commodity and farming-related measures were considered by policymakers in 2023. Among the areas policymakers took up was the financial situation of District Agricultural Association (commonly referred to as “fairgrounds”); fair facilities have been underinvested in for years, leaving their ability to serve somewhat limited. In response, Senator Alvarado-Gil introduced SB 624.

SB 624 (Alvarado-Gil) Horse racing: state-designated fairs: allocation of revenues: gross receipts for sales and use tax, would have enhanced an existing fund source for California's network of fairs and offered much needed financial support for fair projects involving public health and safety, infrastructure, deferred maintenance, and reinvestment into the state's 76 fairs by increasing the fairs' share of tax revenues generated from on-fairground sales from 0.75% to 3.5%; providing funding to California Department Food and Agriculture (CDFA) for costs related to their oversight of District Agricultural Associations; providing resources for technical assistance, training, education and professional development for fair managers and fair boards; and daylighting the fund distribution process by CDFA offering the Legislature proper oversight and approval. RCRC supported this measure. **Two-Year Bill**

AIR QUALITY

California's air quality activities were heavily weighted toward regulations in 2023, as the California Air Resources Board adopted the Advanced Clean Fleets (ACF) Rule to prescribe how public and private fleets would be required to convert to zero emission vehicles by the year 2035. RCRC was heavily engaged in the ACF rulemaking process and was able to negotiate several exemptions into the final rule to account for the unique landscapes and challenges of operating commercial vehicles in rural communities. RCRC also weighed in on the U.S. Environmental Protection Agency's draft National Ambient Air Quality Standards (NAAQS) for PM 2.5, which alarmingly left little room for prescribed burns to mitigate wildfire fuels in California's overly dense forests.

AB 985 (Arambula) San Joaquin Valley Unified Air Pollution Control District: emission reduction credit system, would require the California Air Resources Board to analyze the San Joaquin Valley Unified Air Pollution Control District's emission reduction credits system for a potential change to the way the District issues credits and permits new facilities. AB 985 failed passage on the Assembly floor. RCRC opposes this measure. **Two-Year Bill**

CEQA/NEPA

In 2023, the Legislature made relatively minor changes to California Environmental Quality Act (CEQA) while the Little Hoover Commission conducted multiple hearings and explored whether and how CEQA should be modified to better accomplish its intended objectives. In particular, the Legislature extended sunset dates on a few CEQA exemptions related to aesthetic impacts and motel conversions and created a new exemption for local decisions to provide financial assistance for development of low- and moderate-income residential housing. The Legislature also imposed a new requirement for local agencies to file CEQA notices with the state's Office of Planning and Research for posting on the State Clearinghouse website. Additionally, the Legislature created a new CEQA exemption for the numerous local actions related to the construction of affordable housing projects that meet labor standards, including a requirement to pay workers prevailing wages. Finally, a new law provides that failure to determine whether a project is exempt from CEQA (or failure to adopt a negative declaration or environmental impact report for a project) constitutes a "disapproval" under the Housing Accountability Act for certain projects with more than 15 units per acre in an urbanized area.

AB 356 (Mathis): California Environmental Quality Act: aesthetic impacts, extends the sunset date of a CEQA provision specifying that a lead agency is not required to evaluate the aesthetic effects of a project and aesthetic effects are not considered significant effects on the environment if the project involves the refurbishment, conversion, repurposing, or replacement of an existing building that meets certain requirements. RCRC supported this measure. **Signed (Chapter 116, Statutes of 2023)**

AB 692 (J. Patterson): California Environmental Quality Act: exemption: egress route projects: fire safety, would expedite fire safety improvements for subdivisions that are at significant fire risk and lack a secondary egress route by creating a CEQA exemption for those projects. RCRC supported the measure. **Two-Year Bill**

AB 1449 (Alvarez): Affordable housing: California Environmental Quality Act: exemption, exempts from CEQA numerous local actions related to the construction of 100% affordable housing projects that 1) are either A) within an urbanized area or urban cluster, B) are located within 1/2 mile walking distances to a high-quality transit corridor or major transit stop, C) in a very low vehicle travel area, or D) are proximal to six or more specified amenities; 2) meet specified labor standards, including a requirement to pay workers prevailing wages; 3) have urban uses adjoining 75% of the perimeter of the site. Projects must be subject to a recorded California Tax Credit Allocation Committee regulatory agreement and can be adequately served by existing utilities or extensions. Exempt actions include the issuance of an entitlement; lease, conveyance, or encumbrance of land owned by a public agency for an affordable housing project; rezoning, specific plan amendments, or general plan amendments that specifically and exclusively allow the construction of an affordable housing projects; and provision of financial assistance to implement an affordable housing project. **Signed (Chapter 761, Statutes of 2023)**

SB 69 (Cortese): California Environmental Quality Act: local agencies: filing of notices of determination or exemption, requires local agencies to file CEQA notices with the Office of Planning and Research, in addition to the county clerk, and requires those notices (including

any subsequent or amended notice) to be posted both by the county clerk and on the State Clearinghouse website within 24 hours of receipt and for a period of 30 days. RCRC and the League of California Cities helped retool the measure to reduce potential future CEQA litigation exposure. **Signed (Chapter 860, Statutes of 2023)**

SB 91 (Umberg): California Environmental Quality Act: supportive and transitional housing: motel conversion: environmental leadership transit projects, repeals the sunset date of a CEQA exemption for conversion a motel, hotel, residential hotel, or hostel to supportive or transitional housing. RCRC supported the measure. **Signed (Chapter 732, Statutes of 2023)**

SB 406 (Cortese): California Environmental Quality Act: exemption: financial assistance: residential housing, exempts from CEQA actions of a local agency to provide financial assistance or insurance for the development and construction of low- or moderate-income residential housing. RCRC supported the measure. **Signed (Chapter 150, Statutes of 2023)**

COMMUNITY & ECONOMIC DEVELOPMENT

In contrast to other policy areas, Community and Economic Development saw a quieter year. The Legislature invested much of its efforts to address homelessness into two significant measures, AB 531 and SB 326 (discussed in the Health and Social Services section). There were several substantive land use measures this legislative session that RCRC was successful in limiting the scope and effect on rural counties. Statutory Telecommunication policy changes were also limited this year, as regulatory agencies continue to focus on implementing the significant investments made in 2021 to deploy statewide broadband connectivity.

Homelessness

AB 781 (Maienschein): Accessibility to emergency information and services: emergency shelters: persons with pets, requires all counties to update their emergency plan and designate emergency shelters able to accommodate persons with household pets and requires counties, to the extent practicable, to designate a cooling center or warming center open to pets when any number of centers are opened. **Signed (Chapter 344, Statutes of 2023)**

Housing

AB 68 (Ward): Land use: streamlined housing approvals: density, subdivision, and utility approvals, would require a local government to approve a proposed housing development pursuant to a streamlined, ministerial approval process if the development meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel, as specified, or be included in the applicable region's sustainable communities strategy as a priority development area. **Two-Year Bill**

AB 1000 (Reyes): Qualifying logistics use projects, would prohibit local governments from approving warehouse development projects located within 1,000 feet of a large variety of sensitive receptors. Would also impose new conditions on local approval of warehouse projects between 750-1000 feet of those sensitive receptors, in addition to mitigation measures required under CEQA. RCRC opposes the measure. **Two-Year Bill**

ACA 1 (Aguiar-Curry): Local government financing: affordable housing and public infrastructure: voter approval, will lower the vote threshold to 55 percent for approval of local bonded-indebtedness and specially-dedicated taxes imposed for a variety of local capital projects (affordable housing, water, broadband, etc.). This constitutional amendment is scheduled to be on the ballot for voter approval November 2024. RCRC supported this measure. **Signed (Chapter 173, Statutes of 2023)**

SB 4 (Wiener): Planning and zoning: housing development: higher education institutions and religious institutions, requires, until January 1, 2036, a housing development project to be a “use by right” on land owned by an independent institution of higher education or a religious institution, making the project exempt from a development permit, or other discretionary local government review. **Signed (Chapter 771, Statutes of 2023)**

Land Use / Planning

AB 821 (Grayson): Planning and zoning: general plan: zoning ordinance: conflicts, requires a local agency to approve developments that are consistent with its general plan but not the applicable zoning ordinance, or to make the zoning ordinance consistent with the general plan within 180 days, and provides a legal remedy to ensure compliance. **Signed (Chapter 748, Statutes of 2023)**

AB 1132 (Friedman): Solar energy systems: permit fees, extends the cap on what a city or county may charge for a permit to install a residential and commercial solar energy system until January 1, 2034. **Signed (Chapter 357, Statutes of 2023)**

AB 1176 (Zbur): General plans: Local Electrification Planning Act, would require local governments to either adopt a climate action electrification element as part of the general plan or otherwise amend the general plan to identify strategies and enforceable commitments to meet California’s greenhouse gas reduction goals requiring increased electrification of transportation and buildings. RCRC initially opposed the measure but worked with the author to amend it to address local government concerns. **Two-Year Bill**

AB 1504 (McCarty): Planning and zoning: electric vehicle charging infrastructure: public right-of-way, would require local agencies to complete an assessment on electric vehicle charging stations (EVCS) in the private right-of-way, identify planning and permitting barriers to EVCS and to evaluate competing uses in the public right of way. This bill would also require local agencies to complete an equity analysis to determine locations for EVCS in the public right of way, as well as develop site-specific design requirements and identify necessary updates to relevant code of the local agency. RCRC had an Opposed Unless Amended position on the measure. **Two-Year Bill**

AB 1633 (Ting): Housing Accountability Act: disapprovals: California Environmental Quality Act, provides that a disapproval under the Housing Accountability Act includes a local agency's failure to make a determination of whether a project is exempt from the CEQA, abuse of discretion, or failure to adopt certain environmental documents under specified circumstances. RCRC worked with the author to address local government concerns with the measure. **Signed (Chapter 768, Statutes of 2023)**

SB 610 (Wiener): Fire prevention: fire hazard severity zones: local agency discretion, would require a local agency to make a finding of necessity supported by substantial evidence in the record when adding area to a fire hazard severity zone and allows a local agency to decrease the level of fire hazard severity zone identified by the State Fire Marshal, or exclude zones altogether. **Two-Year Bill**

SB 684 (Caballero): Land use: streamlined approval processes: development projects of 10 or fewer residential units on urban lots under 5 acres, requires local agencies to ministerially approve subdivision maps for specified projects that include 10 or fewer housing units. This bill applies to parcels in an urbanized area located in a county with a population greater than 600,000. RCRC worked with the author to address local government concerns with the measure. **Signed (Chapter 783, Statutes of 2023)**

Surplus Property

AB 480 (Ting): Surplus land, allows, for specified categories of exempt surplus land, local agencies to declare the land "exempt surplus land" without holding a public meeting if certain conditions are met. This bill also defines "disposal" for the purposes of the Surplus Land Act in declaring that the land is no longer needed for a local agency's use as, among other things, leased for 15 years or more. RCRC worked with the author to address concerns and removed opposition to the bill at the end of the legislative session. **Signed (Chapter 788, Statutes of 2023)**

SB 229 (Umberg): Surplus land: disposal of property: violations: public meeting, requires a local agency to hold an open and public meeting if it has been notified by the Department of Housing and Community Development that its planned disposal of a parcel is in violation of the Surplus Land Act. RCRC had an Opposed Unless Amended position on the bill. **Signed (Chapter 774, Statutes of 2023)**

SB 747 (Caballero): Land use: surplus land, makes numerous changes to the Surplus Land Act, including, specifying additional examples of uses of property for an "agency's use" to include utility sites, port property, broadband and wireless sites, and waste disposal sites. Makes changes to the definition of "dispose" consistent with other legislation and revises the existing exemption in the Surplus Land Act for small parcels. RCRC worked with the author to address concerns and removed our opposition to the bill at the end of the legislative session. **Signed (Chapter 786, Statutes of 2023)**

Telecommunications

AB 286 (Wood): Broadband infrastructure: mapping, requires that state broadband accessibility maps identify, for each address in the state, each provider of broadband services that offers service at the address and the maximum speed of broadband services offered at the address. This bill also requires that the mapping process allow for individuals to refute the broadband speed or technology that an internet service provider claims to offer at an address. RCRC supported this measure. **Signed (Chapter 645, Statutes of 2023)**

AB 415 (Rodriguez): Emergency Fairgrounds Communications Grant Act, would require the Office of Emergency Services to establish a grant program to provide fairs with grant funding for purposes of building and upgrading communication and internet infrastructure on fairgrounds. RCRC supported this measure. **Two-Year Bill**

AB 662 (Boerner): Federal Broadband Equity, Access, and Deployment Program funds: administration, would prohibit the California Public Utilities Commission from taking any actions to administer the Broadband Equity, Access and Deployment (BEAD) program that are not specified in the bill, including, imposing additional rules, processes, procedures, prohibitions, funding prioritizations, or eligibility criteria on any applicant that are not explicitly required by the federal guidelines. RCRC had an Opposed Unless Amended position on this bill. **Two-Year Bill**

AB 965 (J. Carrillo): Local government: broadband permit applications, requires local agencies to undertake batched processing for broadband permits, allowing smaller jurisdictions (counties less than 150,000) to limit the number of projects in the batched permit process to 25 sites. RCRC had an Opposed position on the bill but worked with the Author to address local government concerns to reach a neutral position. **Signed (Chapter 553, Statutes of 2023)**

AB 1065 (J. Patterson): Communications: California Advanced Services Fund, would have expressly authorize wireless broadband service providers to apply for and receive funding from the California Advanced Services Fund Infrastructure Grant Account and the Federal Funding Account. **Vetoed**

COUNTY OPERATIONS

This year, legislation introduced covered a wide range of issues impacting county operations, including labor relations, Brown Act/Open meetings, retirement systems, workers' compensation, elections, and cannabis. Labor stoppages across California have dominated headlines this session. Unsurprisingly — and keeping in trend with last year — lawmakers introduced a number of bills aimed at making changes to the state's labor laws. RCRC engaged on numerous labor bills affecting sympathy striking, unemployment insurance for striking workers, temporary employment, and health care minimum wage that would erode good faith negotiations at the bargaining table for public employers and collectively create circumstances in which critical public services could be at risk. A number of high-priority bills were amended to address local government concerns or vetoed by the Governor. In addition, RCRC-sponsored bills SB 753 and AB 1448, designed to enhance cannabis enforcement, were signed by the Governor.

AB 78 (Ward) Grand juries, would make changes in Section 890 of the Penal Code, which would increase the per diem rate paid to civil and criminal grand juries from the current statutorily required \$15 per day to an amount “equal to seventy percent of the county median daily income.” AB 78 lacks a mechanism to cover the additional cost this bill imposes on counties. RCRC opposes this measure unless amended. **Two-Year Bill**

AB 1637 (Irwin): Local government: internet websites and email addresses, requires a local agency (with the exception of special districts and school districts) that maintains a website and email addresses accessible to the public to utilize a “.gov” or “.ca.gov” domain no later than January 1, 2029. It also requires all employee email addresses to reflect the updated domain within the same time frame. RCRC opposed this unfunded mandate. **Signed (Chapter 586, Statutes of 2023)**

AB 1713 (Gipson): Local agencies: federal funds: reports, would require state agencies that receive federal funds subject to an expiration date to submit a written report to the Legislature no later than one year before the funding expiration date with a summary of how funds have been expended, and to provide a plan for the remaining funds to be expended. The bill would also require local agencies to include a similar report on an agenda of a public meeting of their legislative body. Local governments rely on federal funding to provide numerous local services on behalf of the state, much of which is associated with our role as the provider of federal entitlement programs, like Medi-Cal, CalWORKs, etc. Accordingly, local governments seek to maximize federal funding opportunities to provide these necessary services to the residents we serve. Unfortunately, this measure would require local governments to be in a state of perpetual reporting or – in most instances – require duplicative reporting. RCRC opposes this measure. **Two-Year Bill**

Brown Act

AB 557 (Hart): Open meetings: local agencies: teleconferences, eliminates the sunset on the emergency remote meeting procedures added to California Government Code section 54953 (AB 361 (2021)). Additionally, AB 557 adjusts the timeframe for the resolutions passed to renew an agency’s temporary transition to emergency remote meetings to 45 days, up from the previous number of 30 days. RCRC supported this measure. **Signed (Chapter 534, Statutes of 2023)**

AB 817 (Pacheco): Open meetings: teleconferencing: subsidiary body, would provide a narrow exemption under the Ralph M. Brown Act for non-decision-making legislative bodies currently governed by Act, such as advisory bodies and commissions, to participate in two-way virtual teleconferencing without posting physical location of members. In addition, this measure would remove barriers to entry for appointed and elected office by allowing non-decision-making legislative bodies to participate virtually as long as they do not have the ability to take final action on legislation, regulations, contracts, licenses, permits, or other entitlements. RCRC is a sponsor of the bill. **Two-Year Bill**

Cannabis

AB 1448 (Wallis): Cannabis: enforcement by local jurisdictions, incentivizes local jurisdictions to use the statutory penalties for unlicensed cannabis activities by revising Business and Professions Code 26038 to allow a 50/50 state-local split of the statutory penalties recovered in actions brought by local jurisdictions, as originally enacted by the Legislature in the Medical Cannabis Regulation and Safety Act (MCRSA). RCRC sponsored this measure. **Signed (Chapter 843, Statutes of 2023)**

AB 1616 (Lackey): California Cannabis Tax Fund: Board of State and Community Corrections grants, would have required the Board of State and Community Corrections to prioritize local governments whose programs seek to address the unlawful cultivation and sale of cannabis when disbursing grants from California Cannabis Tax Fund. The bill also would have authorized the board to make grants to local governments that ban both indoor and outdoor commercial cannabis cultivation or ban retail sale of cannabis or cannabis products. **Failed Passage**

SB 753 (Caballero): Cannabis: water resources, amends Section 11358 of the Health and Safety Code to include groundwater as a public resource, and establishes that the theft of groundwater, unauthorized tapping into a water conveyance or storage infrastructure, or digging an unpermitted, illegal well may also be punished by imprisonment. RCRC sponsored this bill. **Signed (Chapter 504, Statutes of 2023)**

SB 820 (Alvarado-Gil): Cannabis: enforcement: seizure of property, would adapt the same seizure of property provisions currently applicable to unlicensed manufacturing of alcoholic beverages (i.e., moonshining), to cover unlicensed commercial cannabis activities. In addition, this measure would invest enforcement proceeds in the Cannabis Control Fund to support equity business. **Two-Year Bill**

Elections

AB 764 (Bryan): Local redistricting, updates the procedures local agencies must follow when adjusting the boundaries of the districts used to elect members of their governing bodies and establishes a procedure for legal challenges when a local jurisdiction does not comply with redistricting requirements. RCRC, along with county partners, negotiated amendments to address county concerns and removed opposition to this measure. **Signed (Chapter 343, Statutes of 2023)**

AB 1248 (Bryan): Local redistricting: independent redistricting commissions, would have required a city or county with over 300,000 residents and a school district or community college district with over 500,000 residents to establish an independent redistricting commission (IRC). This measure was vetoed by the Governor, citing the considerable mandated costs associated with the bill. In his veto message, the Governor cited the need to consider such costs within the state budget process. RCRC was opposed unless amended. **Vetoed**

ACA 13 (Ward): Voting thresholds, requires any constitutional amendment proposed by initiative, that increases a voter approval threshold for future measures, be approved by the

same proportion of votes cast as the measure would require. The measure would also preserve the right of cities, counties, and special districts to place advisory questions on the ballot to ask voters their opinion on issues. This measure will be on the November 2024 ballot.

Emergency Services

AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS, would overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction. Specifically, the bill would abrogate the *City of Oxnard v. County of Ventura* decision. The bill was moved to the inactive file on September 12. RCRC is in strong opposition to this measure. **Two-Year Bill**

Labor, Employment, & Workers Compensation

AB 504 (Reyes): State and local public employees: labor relations: strikes, would have declared the acts of sympathy striking and honoring a picket line a human right. AB 504 would also void provisions in public employer policies or collective bargaining agreements limiting or preventing an employee's right to sympathy strike. The bill was vetoed by the Governor, citing negative impacts identified by the local government coalition, on a variety of government functions including provision of services in rural communities where co-location of government agencies is common and accessibility of a variety of safety net programs for millions of Californians. RCRC strongly opposed this measure. **Vetoed**

AB 1484 (Zbur): Temporary public employees, requires inclusion of temporary employees in the same bargaining unit as permanent employees upon request of the recognized employee organization to a local public employer. Amendments taken at the end of legislative session removed problematic provisions regarding grievance procedures, leaving those details to be negotiated in local bargaining agreements. **Signed (Chapter 691, Statutes of 2023)**

SB 399 (Wahab): Employer communications: intimidation, would prohibit an employer from subjecting, or threatening to subject, an employee to any adverse action because the employee declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer, the purpose of which is to communicate the employer's opinion about religious or "political matters." SB 399 applies to all employers, including private employers as well as public employers such as local governments and the State of California. While on its face this bill may appear as if it would not be a problem for local agencies, in reality, SB 399 is overly broad and could pose serious concerns for local jurisdictions. The bill defines "political matters" as matters relating to elections for political office, political parties, legislation, regulation, and the decision to join or support any political party or political or labor organization. By this definition, it could be reasonably argued that many of the issues before a board of supervisors would fall under "legislation" or "regulation." RCRC is opposed to this measure. **Two-Year Bill**

SB 428 (Blakespear): Temporary restraining orders and protective orders: employee harassment, allows an employer to seek a temporary restraining order on behalf of an

employee who is being harassed by a third party such as a member of the public. **Signed (Chapter 286, Statutes of 2023)**

SB 553 (Cortese): Occupational safety: workplace violence: restraining orders and workplace violence prevention plan, creates new unfunded mandates related to workplace violence prevention plans. In addition, this bill bypasses an existing stakeholder-inclusive regulatory process that created the draft guidance on this topic, which should be allowed to continue. Efforts to circumvent regulatory drafting efforts may not result in meaningful policy changes and could create unintended consequences for the various impacted parties. RCRC opposed this measure. **Signed (Chapter 289, Statutes of 2023)**

SB 623 (Laird): Workers' compensation: post-traumatic stress disorder, moved through the legislature as a substantial expansion in the application of California's workers' compensation presumption for Post Traumatic Stress Disorder (PTSD) but was amended into a study bill and sunset extension at the very end of the legislative session. Unfortunately, the scope of the study outlined in this measure is insufficient and needs to be expanded if it is to appropriately inform further legislative action in this area. **Signed (Chapter 621, Statutes of 2023)**

SB 799 (Portantino): Unemployment insurance: trade disputes: eligibility for benefits, would have provided employees who remain on strike for more than two weeks with Unemployment Insurance (UI) benefits, thus requiring employers (via UI) to fund ongoing labor disputes. In the event of a strike that lasts over two weeks, SB 799 would allow all striking workers to claim UI benefits for up to 26 weeks. **Vetoed**

Taxes

SB 584 (Limón): Laborforce housing: Short-Term Rental Tax Law, would have imposed a tax on the occupancy of a short-term rental in this state at the rate of 15% of the rental price of the short-term rental. All revenues, less refunds and reimbursement to the California Department of Tax and Fee Administration (CDTFA) of administration and collection costs, would have been deposited in the Laborforce Housing Fund. The revenue would have been distributed to local jurisdiction through grants managed by the Department of Housing and Community Development for workforce housing. While RCRC appreciated that the funds from the proposed Short-term Rental (STR) tax would have been used toward developing affordable housing, there were concerns with the impact of this measure on the rural tourism industry with such a significant new tax, the redirecting of funds away from the county of origin, and implementation challenges with STR platforms. **Failed Passage**

ENERGY

In response to numerous reports and complaints about the inability for utilities to timely provide electrical service (or increase the level of service) to customers, the Legislature passed several measures seeking to improve utility distribution planning processes, increase coordination and information sharing with local governments, and reduce the time it takes to deliver service. The Legislature also attempted to reduce regulatory review of electrical transmission and

distribution projects; however, those measures were rejected by the Governor. While the Legislature considered several measures on biomass energy generation, it ultimately refused to send any of those measures to the Governor. RCRC was able to stop several bills that would have significantly increased costs on ratepayers and local governments or that would have protected utilities and their contractors from liability stemming from poorly conducted vegetation management operations.

AB 50 (Wood): Public utilities: timely service: customer energization, will establish clear expectations for how quickly utilities are expected to deliver service to new customers and fulfill requests for increased load from existing customers. AB 50 invests the CPUC with authority to determine what constitutes the timely provision of electrical service and fulfillment of requests to provide additional capacity and requires utilities to refine their distribution planning processes to work more collaboratively with local governments and ensure that the projected demand for a given planning cycle more closely matches the actual demand for service. This measure also requires utilities to share information with local governments about where distribution capacity exists or could be easily added to help meet local housing and economic development objectives. RCRC supported this measure. **Signed (Chapter 317, Statutes of 2023)**

AB 704 (J. Patterson): Energy: building standards: photovoltaic requirements, would exempt rebuilds of homes destroyed in wildfires through 2020 and 2021 from the state's new solar energy construction mandates. RCRC supports the measure. **Two-Year Bill**

AB 944 (Irwin): Fire stations: alternative power generation, would require fire stations to have an alternative method to provide power generation for at least 96 hours during power outages. RCRC has expressed serious concerns about the fiscal impact the bill would have on smaller and rural communities and fire departments. **Two-Year Bill**

AB 1155 (Flora): Wildfire mitigation plans: vegetation management: vegetation inspection standards, would require utilities to develop standards for visual inspection of vegetation near powerlines and infrastructure and insulate contractors and utilities from liability stemming from vegetation management operations. RCRC is opposed to the measure. **Two-Year Bill**

SB 83 (Wiener): Public utilities: electrical distribution grid: energization, would require electrical utilities to interconnect a development project within eight weeks of that project becoming "interconnection ready" and establishes clear expectations for how quickly utilities are expected to provide service to new customers or increased load to existing customers. RCRC supports the measure. **Two-Year Bill**

SB 410 (Becker): Powering Up Californians Act, seeks to improve electrical distribution planning, reduce interconnection delays, and ensure that California residents and businesses can timely access new and increased service for housing production and meeting the state's decarbonization goals. RCRC supported the measure. **Signed (Chapter 394, Statutes of 2023)**

SB 527 (Min): Neighborhood Decarbonization Program, would have created a new Neighborhood Decarbonization Program to allow gas corporations to terminate the provision of gas service to select areas within their service territories and have ratepayers bear the costs of conversion, replacement of appliances, and electrical upgrades. RCRC opposes the measure. **Two-Year Bill**

Biomass

AB 625 (Aguiar-Curry): Forest biomass: management: emissions: energy, would help achieve the state's forest health and wildfire risk reduction goals by increasing the productive use of forest waste biomass through energy generation and wood products manufacturing, including extension of the Public Utilities Commission BioMAT program. RCRC supports the measure. **Two-Year Bill**

AB 998 (Connolly): Biomass energy facilities: State Energy Resources Conservation and Development Commission: report, would require the Energy Commission to issue a report on the utility-scale biomass combustion facilities still in operation as of January 1, 2024, including an assessment of operational factors of each facility, a comparison of direct combustion compared to other biomass energy technologies, and a recommended strategy, if appropriate, to repower biomass combustion facilities to non-combustion conversion technologies. RCRC supports the measure. **Two-Year Bill**

FOREST & PUBLIC LANDS STEWARDSHIP

Impactful forest resilience measures were few, but those that did cross the finish line in 2023 will have great bearing on the ability for rural communities to continue to safeguard their residents from the threat of high severity wildfires in the future. Notably, Assembly Bill 297 (Fong), which RCRC supported and helped pass both houses on consent, gives CAL FIRE the permanent ability to make advance payments from their local assistance grant program, as well as placing a higher importance on prescribed grazing as an important fuels treatment tool. On the flip side, Governor Newsom signed Assembly Bill 338 (Aguiar-Curry), which will shrink those grant dollars by reclassifying fuels treatment projects done under contract and paid for by public funds as public works, thus requiring prevailing wage. RCRC will hold the Administration to its promise to appropriate funds accordingly in the future to these programs while conducting outreach to impacting rural communities.

RCRC also continued to remain active in helping shape the state's forest resilience strategy at the administrative level with continued representation on the Governor's Wildfire and Forest Resilience Task Force and the state Wildfire Mitigation Advisory Committee. Our participation allows RCRC to influence state and federal wildfire mitigation efforts while bringing our member counties' concerns directly to federal land managers and state wildland resilience partners.

AB 297 (V. Fong) Wildfires: local assistance grant program: prescribed grazing: advance payments, changes the definition of fire prevention activities to include prescribed grazing and expands allowable public education outreach activities under CAL FIRE's local assistance grants to include training on prescribed grazing. The bill also indefinitely extends the director's

authority to authorize advance payments from a grant program award. RCRC strongly supported this measure. **Signed (Chapter 519, Statutes of 2023)**

AB 338 (Aguiar-Curry): Fuel reduction work, changes the definition of public works to include fuels reduction projects done under contract, thereby requiring prevailing wage for projects paid for in part or whole by public funds, as of January 1, 2026, and January 1, 2027, for nonprofit organizations. Projects exempted from these requirements include prescribed fire and grazing projects, projects performed by tribal entities or on tribal lands, and contracts that do not exceed \$500,000. RCRC strongly opposed this measure. **Signed (Chapter 428, Statutes of 2023)**

SB 39 (Laird): Sierra Nevada Conservancy: Sierra Nevada Region: subregions: climate resilience and equity, revises the definition of "subregion" in the Sierra Nevada Conservancy to better organize the agency's subregions, which is established in the Natural Resources Agency, in order to preserve specified lands in the Sierra Nevada region. It also requires the conservancy to focus on efforts that advance climate resilience and equity, and also revises certain legislative findings related to the conservancy. RCRC supported this measure. **Signed (Chapter 70, Statutes of 2023)**

SB 675 (Limón): Prescribed grazing: local assistance grant program: Wildfire and Forest Resilience Task Force, would expand the definition of fire prevention activities to include prescribed grazing, defined as the lawful application of grazing by a specific kind of livestock at a determined season, duration, and intensity to accomplish defined vegetation or conservation goals, including reducing the risk of wildfire by reducing fuel loads, controlling undesirable or invasive plants, and promoting biodiversity and habitat for special status species. The bill would expand allowable public education outreach activities to include training on livestock management and community-supported prescribed grazing. SB 675 would also indefinitely extend the director's authority to issue advanced payments and authorize these payments to cover the cost of supplies or infrastructure, including, but not limited to, fencing and watering improvements for prescribed grazing, as provided. Additionally, this bill would require the Department of Forestry and Fire Protection, in consultation with the State Board of Forestry and Fire Protection's Range Management Advisory Committee (Advisory Committee), to increase opportunities and outreach for projects on state and private land that include prescribed grazing in the local assistance grant program. This bill would require the Governor's Wildfire and Forest Resilience Task Force, on or before June 30, 2025, in consultation with the Advisory Committee, to develop a strategic action plan to expand the use of prescribed grazing, as provided. SB 675 would require the task force to consider incorporating prescribed grazing in the January 1, 2026, update to the "Wildfire and Forest Resilience Action Plan." Many provisions of this bill were included in Assembly Bill 297 (Fong), and the remaining provisions will be considered in 2024. RCRC supports this measure. **Two-Year Bill**

HEALTH CARE & SOCIAL SERVICES

The start of the 2023-24 session continued a trend in policy changes in behavioral health, including the Mental Health Services Act (MHSA), CARE Court, and the Lanterman-Petris-Short Act. Last year, the Governor focused on SB 1338, his Community Assistance, Recovery and Empowerment (CARE) Court proposal, which is a cross-jurisdictional approach to provide new ways to encourage individuals with serious mental illness (schizophrenia and psychosis)

to receive treatment. RCRC continued its advocacy in the budget process for implementation funding and for amendments to the CARE Court clean-up bill, SB 35, to address information-sharing issues. In addition, the Governor unveiled his proposal to modernize MHSA within SB 326 (Eggman), the Behavioral Health Services Act, and the corresponding bond measure AB 531 (Irwin) for housing and treatment funding. RCRC strongly advocated for amendments to address the unique issues facing rural counties and changes to address implementation challenges within this sweeping proposal. As specified in each bill, select sections of AB 531 and SB 326 will appear as Proposition 1 on the March 2024 ballot.

AB 1057 (Weber): California Home Visiting Program, would have given additional flexibility to local health jurisdictions to administer more Home Visiting Programs that address the unique needs of their communities and provide support to families who need it most. The Governor’s veto message directs the California Department of Public Health to ensure there is collaboration with home visiting partners, local health directors, local health officers, and other affected stakeholders to meet local California Home Visiting Program needs. The message also notes the bill’s fiscal impact not contemplated in the state budget, as well as cost pressures if the California Home Visiting Program approves additional home visiting models outside of the annual budget process. **Vetoed**

CARE Court

SB 35 (Umberg): Community Assistance, Recovery, and Empowerment (CARE) Court Program, provides limited authority to county behavioral health agencies to disclose medical and mental health information to the court as required for purposes of CARE Act proceedings. These amendments are essential to enable counties to implement the CARE Act as envisioned and ensure counties have the legal authority to provide the court with information contemplated by the CARE Act. RCRC supported this measure. **Signed (Chapter 283, Statutes of 2023)**

Emergency Services

AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS, would overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction. Specifically, the bill would abrogate the City of Oxnard v. County of Ventura decision. The bill was moved to the inactive file on September 12. RCRC is in strong opposition to this measure. **Two-Year Bill**

Foster Care

AB 426 (Jackson): Unlicensed residential foster care facilities: temporary placement management, increases enforcement and penalties for unlicensed residential facilities for foster youth. The bill allows the state to place a “temporary manager” over a residential foster care facility and fine county staff; it also increases penalties on counties for unlicensed placements from \$200 to \$5,000 per day. Additionally, AB 426 allows the state to impose civil

penalties on a person that fails to “locate appropriate placements for all of the foster children and youth residing in an unlicensed facility within 60 days after receiving the formal statement of allegations.” **Signed (Chapter 438, Statutes of 2023)**

Mental Health

AB 531 (Irwin): The Behavioral Health Infrastructure Bond Act of 2023, enacts the Behavioral Health Infrastructure Bond Act of 2023, a major component of the Governor’s behavioral health modernization proposal. The measure includes \$6.38 billion for housing and treatment, including acute psychiatric beds. Select sections of AB 531 and SB 326 (Eggman) – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot. RCRC supported this measure in concept. **Signed (Chapter 789, Statutes of 2023)**

SB 43 (Eggman): Behavioral health, expands the definition of "gravely disabled" under the Lanterman-Petris-Short (LPS) by redefining grave disability to include individuals with a substance use disorder - only condition (i.e., without a mental health diagnosis) and modifies hearsay evidentiary standards for conservatorship hearings. Counties are unable to meet the current demand for placements and conserved individuals in rural areas are often placed hundreds of miles away from the county in which they were conserved. Without significant ongoing investment into LPS conservatorships, this bill will have little to no impact on the number of individuals conserved and will likely exacerbate the resource problem. **Signed (Chapter 637, Statutes of 2023)**

SB 326 (Eggman): The Behavioral Health Services Act, revises and recasts the MHSA as the Behavioral Health Services Act (BHSA), representing the second major component of the Governor’s behavioral health reform package. Select sections of SB 326 and AB 531 – as specified in each bill – will appear as Proposition 1 on the March 2024 ballot. The bill would recast the MHSA by revising the distribution of MHSA funds, expanding it to allow treatment of substance use disorders, changing the county planning process, and expanding services for which counties and the state can use funds. **Signed (Chapter 790, Statutes of 2023)**

Health Access & Health Care

AB 242 (Wood): Critical access hospitals: employment, will permanently authorize a federally certified critical access hospital to employ physicians and charge for their services. RCRC supported this measure. **Signed, Chapter 641, Statutes of 2023)**

SB 525 (Durazo): Minimum wages: health care workers, raises the health care minimum wage broadly across the health sector to \$25 per hour, including for employees working in county agencies – specifically, county mental health departments, county correctional health settings, county hospitals, and county owned and operated clinics. The bill also requires salaried employees to be paid a salary equivalent to no less than 150% minimum wage – creating a new salary base of \$78,000 per year. This bill establishes five separate minimum wage schedules for implementation. County specific provisions includes the delay of the first county wage increase to 1/1/2025, deletes public health from the bill and for counties with hospitals, if the hospital and county are in different tiers, as specified, the hospital follows the

facility tier AND the rest of the county follows the population-based tier. Counties with a population between 250,000 and 5 million will start at \$21 an hour and reach \$25 in 2028. Counties with a population of less than 250,000 are part of the distressed hospital tier and will start at \$18 an hour with a 3.5% adjustment each year reaching \$25 by 2033. **Signed (Chapter 890, Statutes of 2023)**

PUBLIC SAFETY & EMERGENCY MANAGEMENT

California's rural counties play a critical role in protecting their local communities. RCRC works to ensure that county public safety programs and services are provided adequate funding and advocates for long-term funding mechanisms that support the county's role to protect local communities. This legislative year, RCRC and county partners vigorously advocated on AB 505 (Ting), legislation that changes several key provisions of SB 823 (Committee on Budget and Fiscal Review), the 2020 legislation that realigned full responsibility for the juvenile justice continuum to county governments. In addition, RCRC engaged with the Department of State Hospitals to address some of the concerns regarding implementing the felony incompetent to stand trial (IST) growth cap and penalty program.

AB 505 (Ting): The Office of Youth and Community Restoration, revises several provisions negotiated in SB 823 (2020), the measure that realigned Division of Juvenile Justice responsibilities from the state to counties. Specifically, this measure (1) makes changes to the leadership structure of the local planning body, (2) revises the local planning process and the process by which the Office of Youth and Community Restoration (OYCR) reviews local implementation plans as well as increases the frequency of required plan updates, and (3) expands the scope of OYCR's role and authority. **Signed (Chapter 528, Statutes of 2023)**

SB 75 (Roth): Courts: judgeships, authorizes 26 new superior court judgeships, subject to appropriation. If funded in the budget, any new judgeships would be allocated to counties in the state in accordance with the Judicial Council's Judicial Needs Assessment. RCRC supported this measure. **Signed (Chapter 482, Statutes of 2023)**

SB 418 (Padilla): California Prison Redevelopment Commission, would establish the California Prison Redevelopment Commission and articulate its responsibilities including its composition, with a focus on developing recommendations for repurposing closed state prison facilities. RCRC supports this measure. **Two-Year Bill**

SOLID WASTE MANAGEMENT

This year we saw the introduction of several solid waste-related measures to modify and clarify last year's landmark SB 54 (Allen) single-use packaging recycling law, increase funding flexibility for local recycling and reuse programs, address illegal dumping, expand beverage container recycling opportunities, and provide compliance flexibility for local governments and the solid waste industry. Governor Newsom vetoed several SB 54-related measures and PFAS bans passed by the Legislature, complaining that the latter lacked designated oversight and

enforcement agencies. RCRC was able to help stop legislation that would have severely hindered state and local flexibility to produce hydrogen and energy from the municipal solid waste stream. Several major producer responsibility initiatives related to vehicle traction batteries, gas cylinders, solar panels, and textiles await further refinement and consideration in 2024.

AB 727 (Weber): Product safety: cleaning products and floor sealers or floor finishes: perfluoroalkyl and polyfluoroalkyl substances, would have prohibited the sale, delivery, and distribution of PFAS-containing cleaning products beginning 1/1/26. RCRC successfully advocated for inclusion of language that would have allowed counties to continue distributing cleaning products household hazardous waste collection materials exchange programs. **Vetoed**

AB 909 (Hoover): Solid Waste Disposal and Codisposal Site Cleanup Program, would make illegally disposed hazardous wastes eligible for funding under the CalRecycle's illegal dumping grant program. RCRC sponsored the measure to allow the state to fully fund cleanup activities at those sites. **Two-Year Bill**

AB 1115 (Papan): Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989: brownfields remediation and redevelopment, extends the state's underground storage tank cleanup program until January 1, 2036, thereby allowing local governments, small businesses, school, and residents to tap into the fund to pay for the costs of cleaning up and replacing leaking underground storage tanks. RCRC supported the bill. **Signed (Chapter 561, Statutes of 2023)**

AB 1526 (Committee on Natural Resources): Public resources, makes clarifying and clean up changes to last year's single-use packaging law, including requiring stewardship plans to contain a mechanism and schedule for transferring funds to local jurisdictions for costs related to program implementation. The bill also includes spray paints in the state's paint stewardship program, which will help reduce local government costs related to managing those products in the waste stream. RCRC helped draft the single-use packaging clean up language and supported the bill. **Signed (Chapter 848, Statutes of 2023)**

AB 1548 (Hart): Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects, expands CalRecycle's existing solid and organic waste recycling grant program to help local governments get recycled material into the marketplace, find new homes for useful consumer goods, and expand local edible food recovery programs. RCRC sponsored the bill based upon the experiences and needs of its member counties. **Signed (Chapter 693, Statutes of 2023)**

AB 1597 (Alvarez): Water quality: California-Mexico cross-border rivers, seeks to improve water quality and public health by providing funds to the North American Development Bank for loans, grants, and direct expenditures to address water quality problems arising in the California-Mexico cross-border rivers. Funding would only be available for water quality projects for the Tijuana River and for projects consistent with the New River Water Quality, Public Health, and River Parkway Development Plan. RCRC supports the bill. **Two-Year Bill**

AB 1705 (McKinnor): Solid waste facilities: state policy goals, would prohibit establishment or expansion of a transformation or engineered municipal solid waste conversion facility and thereby compromised the ability to produce hydrogen from the municipal solid waste stream. RCRC is opposed to the measure. **Two-Year Bill**

SB 303 (Allen): Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act, would have modified the definitions included in and scope of CalRecycle's regulatory authority under the state's new SB 54 single use packaging law. RCRC helped draft the measure and urged Governor Newsom to sign the bill. **Vetoed**

SB 353 (Dodd): Beverage containers: recycling, makes changes to the state's beverage container recycling law to include all juice containers in the deposit program, more rapid response to changing market conditions, and creation of a transportation subsidy for glass containers recycled in rural areas. **Signed (Chapter 868, Statutes of 2023)**

SB 367 (Seyarto): Farm, ranch, and public lands cleanup and abatement: grant program, would create a grant program to facilitate the proper disposal of illegally dumped waste on state and federal lands. RCRC helped to draft the measure and supports it. **Two-Year Bill**

SB 560 (Laird): Solid waste: gas cylinders: stewardship program, seeks to establish a framework for extended producer responsibility for end-of-life management of consumer gas cylinders, which are challenging and expensive for local governments to manage in the waste stream. RCRC supports the measure in concept, and it will be refined over the course of 2024. **Two-Year Bill**

SB 642 (Cortese): Hazardous materials: enforcement: county counsel, allows county counsels to enforce provisions of state law related to aboveground storage tanks, underground storage tanks, medical waste, and hazardous materials business plans. RCRC co-sponsored the bill in conjunction with Santa Clara County and the California State Association of Counties. **Signed (Chapter 154, Statutes of 2023)**

SB 665 (Allen): Plastic waste: single-use plastics alternatives: working group, would have established a framework for evaluating new packaging material types as to better inform state policy decisions related to marketing, handling, and disposal of those products. RCRC successfully advocated for inclusion of local governments into that process and supported the bill. **Vetoed**

SB 751 (Padilla): Franchise agreements: solid waste handling services: labor dispute, would have prohibited any franchise contracts, licenses, or permits for solid waste handling services entered into or amended by a local agency on or after January 1, 2024, from excusing the service provider from performance in the event of a labor dispute. RCRC helped draft the bill's language to protect local authority and remained neutral. **Vetoed**

SB 806 (Archuleta): Trash receptacles and storage containers: reflective markings: enforcement, provides greater flexibility in implementation of a recent law that requires large trash receptacles to be equipped with reflective tape, including the type of tape that can be

used, placement of the tape, and creation of a cure period; narrows application to only those containers that are on a roadway or curb. RCRC helped advocate for introduction and passage of the measure. **Signed (Chapter 722, Statutes of 2023)**

TRANSPORTATION

There continues to be appetite for transportation infrastructure investments, particularly with the availability of state and federal funds. Driven by concerns over a changing climate, moving to an electric vehicle future continues to be a priority for the Administration. Meanwhile the legislature has focused its efforts on improving regional transportation coordination and planning; climate-focused transportation metrics; and road safety.

AB 6 (Friedman): Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions, would have amended local reporting and transportation project review requirements, under SB 375 (2008), for the state's 18 metropolitan planning organizations (MPOs), for project information pertaining to climate and greenhouse gas emissions impacts. **Two-Year Bill**

AB 7 (Friedman): Transportation: planning: project selection processes, would have required all transportation projects that are funded with state or federal dollars, at least in part, to incorporate several, specified principles that include improving road safety, conformity with federal streamlined project principles, ADA compliance, water and air quality impacts, climate impacts, and access to disadvantaged communities, among others. Would have also required State Transportation Agency to submit a report to the legislature on how all funded projects conform to the requirements of this legislation. **Two-Year Bill**

AB 400 (B. Rubio): Local agency design-build projects: authorization, allows local governments to continue the utilization of existing state law, which allows them to use the Design-Build procurement process for qualifying public works projects. This bill achieves this by extending the existing January 1, 2025, sunset date to January 1, 2031, on the statutory Design-Build authority. RCRC supported this measure. **Signed (Chapter 201, Statutes of 2023)**

WATER

While the 2022-2023 water year was one for the record books, drought preparedness continues to be an area of activity for policymakers. Expansion of storage opportunities, identifying recharge opportunities, and concerns over the current water rights system of allocation were among the areas addressed. Groundwater issues were also of legislative interest with various aspects of well permitting being the primary focus. On the other end of the spectrum, flood risks were also discussed, although, again, little agreement on how to move forward. While much of the legislation was ultimately held as two-year measures, they are a preview of likely policy discussions in 2024.

AB 62 (Mathis): Statewide water storage: expansion, would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would have required the Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal. **Two-Year Bill**

AB 66 (Mathis): Natural Resources Agency: water storage projects: permit approval, would require the California Natural Resources Agency, or the relevant state agency, to approve the necessary permits for specified storage projects within 180 days from receiving a permit application, and would deem those permits approved if approval does not occur within this time period. **Two-Year Bill**

AB 422 (Alanis): Natural Resources Agency: statewide water storage: tracking, would require California Natural Resources Agency, on or before June 1, 2024, to post on its publicly available internet website information tracking the progress to increase statewide water storage, and to keep that information updated. **Two-Year Bill**

AB 429 (Bennett): Groundwater wells: permits, if 1% of domestic wells were to go dry in a critically overdrafted basin, would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as a critically overdrafted basin, unless the city county or well permitting agency obtains written verification from a groundwater sustainability agency that the proposed well would not be inconsistent with any sustainable groundwater management program AND the proposed well would not decrease the likelihood of achieving a sustainability goal for the basin covered by the plan. RCRC is opposed to this measure. **Two-Year Bill**

AB 460 (Bauer-Kahan): State Water Resources Control Board: water rights and usage: interim relief: procedures, would authorize State Water Board to issue, on its own motion or upon the petition of an interested party, an interim relief order in appropriate circumstances to implement or enforce these and related provisions of law. The bill would provide that a person or entity that violates any interim relief order issued by the board would be liable to the board for a civil penalty in an amount not to exceed the sum of \$10,000 for each day in which a violation occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. **Two-Year Bill**

AB 1272 (Wood): State Water Resources Control Board: drought planning, would have required State Water Board to establish a program, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would have required that the principles and guidelines provide for the development of watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. **Failed Passage**

AB 1337 (Wicks): State Water Resources Control Board: water diversion curtailment, would expand the instances when the diversion or use of water is considered a trespass, and would direct State Water Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. **Two-Year Bill**

AB 1563 (Bennett): Groundwater sustainability agency: groundwater extraction permit: verification, would require a county, city, or any other water well permitting agency to obtain a written verification from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program. RCRC is opposed to this measure. **Two-Year Bill**

SB 23 (Caballero): Water supply and flood risk reduction projects: expedited permitting, would authorize a state agency, defined to mean any agency, board, or commission, including the state board or the regional boards, with the power to issue a permit that would authorize a water supply project or authorize a flood risk reduction project, to take specified actions in order to complete permit review and approval in an expeditious manner. The bill would make findings and declarations related to the need to expedite water supply projects and flood risk reduction projects to better address climate change impacts while protecting the environment. **Two-Year Bill**

SB 389 (Allen): State Water Resources Control Board: investigation of water right, authorizes State Water Board to additionally investigate a diversion and use of water from a stream system, beyond just investigating a trespass violation, to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right. The bill allows State Water Board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill authorizes a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified. **Signed (Chapter 486, Statutes of 2023)**

WILDLIFE

AB 606 (Mathis): California Endangered Species Act: accidental take: farms or ranches. The California Endangered Species Act prohibits the take (killing or destroying) of endangered or candidate species, except when it is incidental to an otherwise lawful activity and with a permit from the Department of Fish and Wildlife. The Act requires regulations for the issuance of permits and provides an exception until 2024 to accidental takes on farms or ranches. This bill would extend this exception indefinitely, meaning that the violation of the reporting requirement for accidental takes would be a crime. However, this bill would not require the state to reimburse local agencies or school districts for any costs incurred due to its passing. **Signed (Chapter 447, Statutes of 2023)**



Mary-Ann Warmerdam
Senior Vice President of Government Affairs
Agriculture, Federal Affairs
mwarmerdam@rcrcnet.org

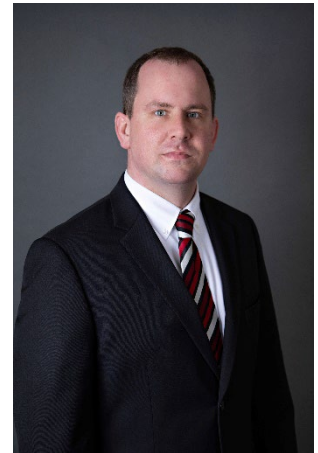


Staci Heaton
Senior Policy Advocate
*Air Quality, Forest & Public Lands Stewardship,
Water Quality, Wildlife*
sheaton@rcrcnet.org



Tracy Rhine
Senior Policy Advocate
*Community & Economic Development,
Telecommunications*
trhine@rcrcnet.org

John Kennedy
Senior Policy Advocate
CEQA/NEPA, Energy, Solid Waste Management
jkennedy@rcrcnet.org



Leigh Kammerich
Policy Advocate
*Cannabis, Energy, Emergency Services,
Emergency Management, Electric Vehicles, Water Quality*
lkammerich@rcrcnet.org

Sarah Dukett
Policy Advocate
*Cannabis, County Operations, Health Care & Social
Services, Public Safety & Emergency Management*
sdukett@rcrcnet.org





Sidd Nag
Policy Advocate

*Farmland Conservation, Transportation,
Water & Wildlife*

snag@rcrcnet.org