



AGENDA
Legislative Policy Committee Meeting

May 8, 2024

9:30 AM

Location

San Bernardino County Transportation Authority
First Floor Lobby Board Room
1170 W. 3rd Street, San Bernardino, CA 92410

Legislative Policy Committee Membership

Chair - President

Dawn Rowe, Supervisor
County of San Bernardino

Vice Chair – Vice President

Ray Marquez, Council Member
City of Chino Hills

Past President

Art Bishop, Mayor Pro Tem
Town of Apple Valley

Larry McCallon, Mayor Pro Tem
City of Highland

Alan Wapner, Council Member
City of Ontario

Rick Denison, Council Member
Town of Yucca Valley

Paul Cook, Supervisor
County of San Bernardino

**San Bernardino County Transportation Authority
San Bernardino Council of Governments**

AGENDA

Legislative Policy Committee

**May 8, 2024
9:30 AM**

Location

SBCTA Office

First Floor Lobby Board Room

1170 W. 3rd Street, San Bernardino, CA 92410

Items listed on the agenda are intended to give notice to members of the public of a general description of matters to be discussed or acted upon. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional “*Meeting Procedures*” and agenda explanations are attached to the end of this agenda.

CALL TO ORDER

(Meeting Chaired by Ray Marquez)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications – Julie Perales

Public Comment

Brief Comments from the General Public

Note: Public Comment on items listed on this agenda will be allowed only during this committee meeting. No public comment will be allowed on committee items placed on the Consent Agenda at the Board of Directors meeting. If an item has substantially changed after consideration during the committee meeting, the item will be placed on Discussion for Board and public comment will be allowed.

Possible Conflict of Interest Issues

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

1. Information Relative to Possible Conflict of Interest

Pg. 8

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

This item is prepared for review by Board and Committee members.

DISCUSSION ITEMS

Discussion - Legislative/Public Outreach

2. State Legislative Update

Pg. 9

Receive the May 2024 State Legislative Update and provide direction as to positions on bills as appropriate.

Presenter: Louis Vidaure

This item is not scheduled for review by any other policy committee or technical advisory committee.

3. Federal Legislative Update

Pg. 62

Receive the May 2024 Federal Legislative Update and provide direction as appropriate.

Presenter: Louis Vidaure

This item is not scheduled for review by any other policy committee or technical advisory committee.

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

Pg. 80

Acronym List

Pg. 81

Mission Statement

Pg. 83

The next Legislative Policy Committee Meeting is scheduled for June 12, 2024.

Meeting Procedures and Rules of Conduct

Meeting Procedures - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility & Language Assistance - The meeting facility is accessible to persons with disabilities. If assistive listening devices, other auxiliary aids or language assistance services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk can be reached by phone at (909) 884-8276 or via email at clerkoftheboard@gosbcta.com and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Accesibilidad y asistencia en otros idiomas - Las instalaciones para las reuniones son accesibles para las personas con discapacidades. Si se necesitan dispositivos de escucha asistida, otras ayudas auxiliares o servicios de asistencia en otros idiomas para participar en la reunión pública, las solicitudes deben ser presentados a la Secretaria de la Junta al no menos de tres (3) días de apertura antes de la reunión de la Junta. La Secretaria esta disponible por teléfono al (909) 884-8276 o por correo electrónico a clerkoftheboard@gosbcta.com y la oficina se encuentra en 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at www.gosbcta.com/board/meetings-agendas/ at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address. Agendas are also posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting.

Agenda Actions – Items listed on both the “Consent Calendar” and “Discussion” contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

Closed Session Agenda Items – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the President of the Board or Committee Chair (“President”) will announce the subject matter of the closed session. If reportable action is taken in closed session, the President shall report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item, except Board agenda items that were previously considered at a Policy Committee meeting where there was an opportunity for public comment. Individuals in attendance at SBCTA who desire to speak on an item may complete and turn in a "Request to Speak" form, specifying each item an individual wishes to speak on. Individuals may also indicate their desire to speak on an agenda item when the President asks for public comment. When recognized by the President, speakers should be prepared to step forward and announce their name for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The President or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Any individual who wishes to share written information with the Board may provide 35 copies to

the Clerk of the Board for distribution. If providing written information for distribution to the Board, such information must be emailed to the Clerk of the Board, at clerkoftheboard@gosbcta.com, no later than 5:00 pm the day before the meeting in order to allow sufficient time to distribute the information. Information provided as public testimony is not read into the record by the Clerk. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda. Any consent item that is pulled for discussion shall be treated as a discussion item, allowing further public comment on those items.

Public Comment –An opportunity is also provided for members of the public to speak on any subject within the Board’s jurisdiction. Matters raised under “Public Comment” will not be acted upon at that meeting. See, “Public Testimony on an Item,” above.

Disruptive or Prohibited Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the President may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive or prohibited conduct includes without limitation addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner.

Your cooperation is appreciated!

**General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Attendance.

- The President of the Board or Chair of a Policy Committee (Chair) has the option of taking attendance by Roll Call. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name.
- A Member/Alternate who arrives after attendance is taken shall announce his/her name prior to voting on any item.
- A Member/Alternate who wishes to leave the meeting after attendance is taken but before remaining items are voted on shall announce his/her name and that he/she is leaving the meeting.

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee. Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.
- The “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.
- Votes at teleconferenced meetings shall be by roll call, pursuant to the Brown Act, or, at any meeting, upon the demand of five official representatives present or at the discretion of the presiding officer.

The Vote as specified in the SBCTA Administrative Code and SANBAG Bylaws.

- Each Member of the Board of Directors shall have one vote. In the absence of the official representative, the Alternate shall be entitled to vote. (Note that Alternates may vote only at meetings of the Board of Directors, Metro Valley Study Session and Mountain/Desert Policy Committee.)

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the Chair shall ask the maker of the original motion if he or she would like to amend the motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is voted upon first, and if it fails, then the original motion is considered.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a Member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively, and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time to time, circumstances may require deviation from general practice (but not from the Brown Act or agency policy).
- Deviation from general practice is at the discretion of the Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

Revised March 2014

Revised May 4, 2016

Revised June 7, 2023

Minute Action

AGENDA ITEM: 1

Date: May 8, 2024

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background:

In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
		None	

Financial Impact:

This item has no direct financial impact on the Budget.

Reviewed By:

This item is prepared for review by Board and Committee members.

Responsible Staff:

Otis Greer, Director of Legislative and Public Affairs

Approved
Legislative Policy Committee
Date: May 8, 2024

Witnessed By:

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 2

Date: May 8, 2024

Subject:

State Legislative Update

Recommendation:

Receive the May 2024 State Legislative Update and provide direction as to positions on bills as appropriate.

Background:

Legislative Session

The month of April 2024 was consumed by lengthy policy committee hearings in both the Senate and Assembly to meet their legislative deadlines. April 26, 2024, was the deadline for bills in their first house to be passed out of their respective policy committees if the bills have a fiscal impact to the state. Therefore, the days leading up to that deadline saw hundreds of bills move through committees.

Once advanced out of the policy committee stage, legislation moved to the respective Appropriations Committee for a debate on the fiscal aspects of the bill. Bills must be passed out by their respective Appropriations Committees by May 17, 2024 and their house of origin by May 24, 2024.

State Budget

The Department of Finance published its April Finance Bulletin, which provides an economic update and cash report. According to the bulletin, the cash receipts were \$243 million, or 1.6 percent, below the 2024-25 Governor's Budget forecast for March 2024, and \$5.8 billion, or 4 percent, below the fiscal year-to-date forecast of \$146.0 billion. Final personal income tax and corporation tax payments for tax year 2023 due in mid-April will provide a more complete picture on cash receipts related to tax year 2023.

Governor Gavin Newsom (Governor) will release his May Revise, which reflects changes to his proposed budget based on the latest economic forecasts. The May Revise will mark the start of what will be a month of negotiations with legislators. The budget, with any legislative adjustments, must be finalized by June 15, 2024, in time for the Governor to sign the package and the new fiscal year to begin on July 1, 2024.

Early Action Budget Items

The Governor, Assembly Speaker and Senate Pro Tem announced a \$17 billion agreement to address California's budget shortfall that includes reductions, revenue and borrowing, delays and deferrals, and cost shifts. This early action package, which was quickly reviewed by legislative committees and signed by the Governor on April 15, 2024, set a foundation for final budget negotiations while protecting core programs and utilizing about half of the state's reserves.

The budget bill contained two noteworthy provisions in Section 74 and 77 which required the Department of Finance to send two letters to the Joint Legislative Budget Committee within 7 days.

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Legislative Policy Committee Agenda Item

May 8, 2024

Page 2

The first letter, required by Section 77, memorializes the early action agreement items previously released by the Senate and Assembly. This is important, because many items in the agreement concerned 2024-25 budget plans that cannot be reflected in an enrolled budget bill until June 2024, this notification was planned to record the \$17.3 billion of changes to previously planned General Fund spending.

The second notification, as mandated by Section 74, announces the administration’s plan to issue directives for suspending further expenditures of certain one-time appropriations from the Budget Acts of 2021, 2022, and 2023. This measure aims to provide policymakers with additional options to balance the budget in June 2024, following a review period by the Joint Legislative Budget Committee (JLBC).

These notifications allow the JLBC a standard review period of 7-10 days to offer advice on legislative intent or dispute anything included in the letters.

Attachment A contains a list of legislative bills that the San Bernardino County Transportation Authority (SBCTA)/San Bernardino Associated Governments (SBCOG) have taken a position on. Attachment B reflects bills of interest to SBCTA and SBCOG.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Louis Vidaure, Legislative Analyst

Approved
Legislative Policy Committee
Date: May 8, 2024
Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

ATTACHMENT A

**SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - May 2024**

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 6 (Friedman)	Would require the California Air Resources Board to establish additional greenhouse gas emissions targets for 2035 and 2045, as well as imposing new requirements on Metropolitan Planning Organizations, such as the Southern California Association of Governments, regarding technical methodology in developing their Regional Transportation Plan and Sustainable Community Strategy.	Failed Policy Committee deadline, two-year bill. (7/14/23)	Oppose	6/14/2023
AB 7 (Friedman)	Would require the project selection process for transportation infrastructure projects funded by certain state transportation accounts to incorporate federal principles that promote accessibility, climate change, the environment, resilience, safety, timeliness, among other principles	Failed to be voted upon on Senate Floor, two-year bill. (9/14/23)	Oppose	6/14/2023
AB 2590 (Reyes)	Would amend the California Public Utilities Code to increase the monetary thresholds of certain procurement processes for supplies, equipment and materials that are utilized for SBCTA projects.	Referred to Asswembly Local Government Committee. (3/21/24)	Sponsor Support	2/14/2024
AB 2645 (Lackey)	Would require agencies that operate tolling facilities to cooperate with law enforcement in the event an emergency alert is issued.	Passed out of Assembly Transportation Committee and referred to Assembly Appropriations Committee (4/23/24)	Support	4/10/2024

Attachment: Bill position matrix 5-24 (10063 : State Legislative Update)

SAN BERNARDINO COUNTY
TRANSPORTATION AUTHORITY (SBCTA) / COUNCIL OF GOVERNMENTS (SBCOG)
LEGISLATIVE BILL POSITIONS - May 2024

Legislation / Author	Description	Bill Status	Position	Date Position Adopted
AB 2535 (Bonta)	Would alter the Trade Corridor Enhancement Program to support zero emission freight infrastructure and restrict projects that expand certain highway projects.	Passed out of Assembly Transportation Committee and referred to Assembly Appropriations Committee (4/23/24)	Oppose	4/10/2024

Attachment: Bill position matrix 5-24 (10063 : State Legislative Update)

Status Report

ATTACHMENT B

Thursday, April 25, 2024

AB 6 Friedman D (Dist. 44) Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified.

Position: Oppose

AB 7 Friedman D (Dist. 44) Transportation: planning: project selection processes.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Transportation Agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes.

Position: Oppose

AB 295 Fong, Vince R (Dist. 32) Residential real property: foreclosure.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law prescribes various requirements to be satisfied before the exercise of a power of sale under a mortgage or deed of trust and prescribes a procedure for the exercise of that power. This bill would prohibit a person from contacting, soliciting, or initiating communication with an owner to claim the surplus funds from a foreclosure sale of the owner's residence before 90 days after the trustee's deed has been required.

AB 382 Cervantes D (Dist. 58) High-occupancy vehicle lanes: County of Riverside.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a regional transportation agency, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit. Current law authorizes a value pricing and transit program involving HOT lanes to be developed and operated on State Highway Route 15 in the County of Riverside by the Riverside County Transportation Commission. Current law requires the Department of Transportation to report to the transportation policy committees of the Legislature, on or before January 1, 2020, on the feasibility and appropriateness of limiting the

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

use of high-occupancy vehicle lanes to high-occupancy vehicles and eligible vehicles, as defined, only during hours of heavy commuter traffic on both State Route 91 between Interstate 15 and Interstate 215 in the County of Riverside, and State Route 60 in the County of Riverside. Separate from that report, this bill would require the Transportation Agency, on or before January 1, 2025, to report to the transportation policy committees of the Legislature on that same topic and on the feasibility and appropriateness of removing from high-occupancy vehicle lanes in the County of Riverside, except for certain high-occupancy toll lanes, any double parallel solid lines to restrict the entrance into or exit from those lanes, including the use of the appropriate markings and signage.

Position: Watch

AB 591 Gabriel D (Dist. 46) Electric vehicle service equipment: connectors and public accessibility.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

Would require that any electric vehicle service equipment that is capable of charging a light-duty electric vehicle and is installed or substantially retrofitted, as defined, except for private use at a single-family residence or multifamily residence, include a universal connector, as defined, and be publicly accessible. The bill would require an owner or operator of CHAdeMO electric vehicle service equipment, as defined, that is in operation on January 1, 2024, except where it is located at a single-family residence or multifamily residence and is only for private use, to maintain the CHAdeMO electric vehicle service equipment in good working condition until at least January 1, 2029.

AB 627 Jackson D (Dist. 60) Drayage trucks: voucher incentive project.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

Current law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. The Budget Act of 2023 appropriated funds from the Greenhouse Gas Reduction Fund to the state board for zero-emission drayage trucks to be administered through the project and, in expending those funds, requires the state board, before January 1, 2025, to limit the number and award amount levels under the project based on fleet size. This bill would require the state board to ensure that a voucher provided under the project for the purchase of a new, or the retrofit of a used, drayage truck is provided to an operator in an amount determined pursuant to a sliding scale established by the state board, based on the number of drayage trucks the operator owns. In administering the project, the bill would require the state board to prioritize the award of those vouchers to operators meeting certain criteria.

Position: Watch

AB 761 Friedman D (Dist. 44) Local finance: enhanced infrastructure financing districts.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

Current law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Current law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Current law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district’s authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.

Position: Watch

AB 817 Pacheco D (Dist. 64) Open meetings: teleconferencing: subsidiary body.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Ralph M. Brown Act requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Current law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met (nonemergency provisions). This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

AB 849 Garcia D (Dist. 36) Community emissions reduction programs.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the State Air Resources Board to prepare, and to update at least once every 5 years, a statewide strategy to reduce emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden. Current law requires the state board to include in the statewide strategy, among other components, an assessment and identification of communities with high cumulative exposure burdens for toxic air contaminants and criteria air pollutants, prioritizing disadvantaged communities and sensitive receptor locations based on specified factors. Current law requires the state board, based on the assessment and identification of communities with high cumulative exposure burdens, to select locations around the state for preparation of community emissions reduction programs. Current law requires an air district encompassing any location selected by the state board to adopt, in consultation with the state board, within one year of the state board’s selection, a community emissions reduction program to achieve emissions reductions for the location selected using cost-

effective measures, as specified. Current law also requires an air district to submit the community emissions reduction program to the state board for review and approval as prescribed. Current law requires the air district and the state board to implement and enforce the measures in the community emissions reduction program consistent with their respective authority. This bill would additionally require the air district, in adopting a community emissions reduction program, to consult with other relevant state agencies. By imposing additional duties on air districts, this bill would impose a state-mandated local program.

AB 930 Friedman D (Dist. 44) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government.

AB 1008 Bauer-Kahan D (Dist. 16) The Western Joshua Tree Conservation Act.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Endangered Species Act requires the Fish and Game Commission (commission) to establish a list of endangered species and a list of threatened species and to add or remove species from either list if it finds, upon the receipt of sufficient scientific information, as specified, that the action is warranted. The act prohibits the taking of an endangered or threatened species, except in certain situations. Under the act, the Department of Fish and Wildlife may authorize the taking of listed species pursuant to an incidental take permit if the taking is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, and the issuance of the permit would not jeopardize the continued existence of the species. A violation of the provisions of the Fish and Game Code is a crime. This bill, the Western Joshua Tree Conservation Act, would prohibit any person or public agency from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state, a western Joshua tree or any part or product of the tree, except as provided pursuant to existing law or by paying a specified fee.

Position: Watch

AB 1333 Ward D (Dist. 78) Residential real property: bundled sales.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, until January 1, 2031, for purposes of the exercise of a power of sale, prohibits a trustee from bundling properties for the purpose of sale, instead requiring each property to be bid on separately, unless the deed of trust or mortgage provides otherwise. Current law also prohibits specified institutions that, during their immediately preceding annual reporting period, as established with their primary regulator, foreclosed on 175 or more residential real properties, containing no more than 4 dwelling units, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, at least 2 of which have been acquired through foreclosure under a mortgage or deed of trust. This bill would prohibit a developer of residential one to 4 dwelling units, inclusive, from conducting a sale of 2 or more parcels of real property containing one to 4 residential dwelling units, inclusive, in a single transaction to an institutional investor, as defined, if the occupancy permit was issued on c

after January 1, 2025.

AB 1335 Zbur D (Dist. 51) Local government: transportation planning and land use: sustainable communities strategy.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Current law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. Current law requires the sustainable communities strategy to include specified information, including an identification of areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and an identification of areas within the region sufficient to house an 8-year projection of the regional housing need for the region, as specified. This bill would additionally require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and the total number of new housing units necessary to house the above-described 8-year projection, as specified.

AB 1348 Grayson D (Dist. 15) State government: Controller: claims audits.

Location: SENATE 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law, the Government Claims Act, generally requires the presentation of all claims for money or damages against local public entities and the state. Existing law provides for the presentation of a claim for which appropriations have been made, or for which state funds are available, under that act to the Controller, in the form and manner prescribed by the general rules and regulations adopted by the Department of General Services. Existing law, with specified exceptions, prohibits the Controller from drawing a warrant for any claim until it has been audited in conformity with law and the general rules and regulations adopted by the Department of General Services governing the presentation and audit of claims. This bill would authorize the Controller to conduct, unless prohibited by the provisions of a state ballot proposition passed by the electorate, financial and compliance audits if the Controller’s office deems as necessary for purposes of ensuring that any expenditures, regardless of the source or fund from which the warrants for claims are drawn, are expended in a manner consistent with the law and the voters’ intent. The bill would also authorize the Controller to conduct any audits necessary to carry out their constitutional and statutory duties and responsibilities under the law. The bill would require, if an audit is conducted as specified, the Controller to provide a report with specified information from these audits to the Legislature by June 30 following the completion of the audit and would require the Controller to allow all auditees in the report a reasonable period of time to review and comment on the section of the report relating to the auditee, as described. The bill would make related legislative findings and declarations.

AB 1777 Ting D (Dist. 19) Autonomous vehicles.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle operated if specified requirements are satisfied. Current law prohibits the operation of an autonomous vehicle on public roads until the manufacturer submits an application

to the Department of Motor Vehicles, as specified, and that application is approved. Current law requires the department to adopt regulations setting forth requirements for the submission and approval of an application, including, among other things, any testing, equipment, and performance standards the department concludes are necessary to ensure the safe operation of autonomous vehicles on public roads, as specified. This bill would require manufacturers, by July 1, 2026, to comply with certain requirements, including, among other things, to maintain a dedicated emergency response telephone line that is available for emergency response officials, as defined, and to equip each autonomous vehicle with a 2-way voice communication device that enables emergency response officials that are near the vehicle to communicate effectively with a remote human operator, as specified. The bill would authorize an emergency response official to issue a geofencing message, as defined, to a manufacturer and would require a manufacturer to direct an autonomous vehicle in the affected area to leave or avoid the area within 2 minutes of receipt of a geofencing message, as specified. If an autonomous vehicle does not have a person in the driver's seat and commits a violation of the Vehicle Code, or has a person in the driver's seat but commits the violation while the autonomous technology is engaged, the bill would require the manufacturer to be cited for the violation. If an autonomous vehicle has a person in the driver's seat and commits a violation of the Vehicle Code while the autonomous technology is not engaged, the bill would require the driver to be cited for the violation.

AB 1837 Papan D (Dist. 21) San Francisco Bay area: public transit: Regional Network Management Council.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Current law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would create the Regional Network Management Council as an 11-member council to represent the interests of its stakeholders, to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. The bill would require the commission to facilitate the creation of the council.

AB 1889 Friedman D (Dist. 44) conservation element: wildlife and habitat connectivity.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including land use, housing, and conservation elements, as specified. Current law requires the conservation element to consider the effect of development within the jurisdiction on natural resources located on public lands. This bill would additionally require the conservation element to consider the effect of development within the jurisdiction on the movement of wildlife and habitat connectivity. The bill would require the conservation element, upon the next update of one or more elements on or after January 1, 2026, to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, identify and analyze existing or planned wildlife passage features, and consider the impacts of development and the barriers caused by development to wildlife and habitat connectivity. The bill would authorize a city, county, or city and county to incorporate by reference into their general plan an existing plan that meets these requirements. The bill would require authorize a city, county, or city and county preparing to update its conservation element to consider incorporating appropriate standards, policies, and zoning, implementation programs, consult with specified entities, and consider relevant best available science.

AB 1893 Wicks D (Dist. 14) Housing Accountability Act: housing disapprovals: required local findings.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The Housing Element Law prescribes requirement for a city’s or county’s preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households unless the local agency makes written findings as to one or more of certain sets of conditions, as specified. Under the act, one set of conditions available to a local agency for the finding necessary to disapprove a housing development project for very low, low-, or moderate-income households is that (A) the jurisdiction has adopted a housing element that is in substantial compliance with the Housing Element Law, and (B) the jurisdiction has met or exceeded its share of the regional housing need allocation for the planning period for the income category proposed for the housing development project. Current law defines “housing for very low, low-, or moderate-income households” for purposes of the Housing Accountability Act to mean at least 20% of the total units shall be sold or rented to lower income households or 100% of the units are sold or rented to persons and families of moderate income. This bill would revise that definition to mean at least 10% of the units are dedicated to lower very low income households, 100% of the units are dedicated to lower income households at an affordable rent consistent with rent limits established by the California Tax Credit Allocation Committee, 100% of the units are sold or rented to persons and families of moderate income, or the housing development consists of 10 units or fewer.

AB 1904 Ward D (Dist. 78) Transit buses: yield right-of-way sign.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Current law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it.

AB 1957 Wilson D (Dist. 11) Public contracts: best value construction contracting for counties.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes a pilot program to allow the Counties of Alameda, Los Angeles, Monterey, Riverside, San Bernardino, San Diego, San Mateo, Santa Clara, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of \$1,000,000. Current law also authorizes these counties to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would extend the operation of those provisions until January 1, 2030. The bill would instead require the board of supervisors of a participating county to submit the report described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2029.

AB 2006 Mathis R (Dist. 33) Sales and Use Tax Law: exemption: over-the-counter medication.

Location: ASSEMBLY REV. & TAX SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Sales and Use Tax Law provides various exemptions from those taxes. This bill would, until January 1, 2030, exempt from those taxes the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, over-the-counter medication, as defined.

AB 2023 Quirk-Silva D (Dist. 67) Housing element: inventory of land: rebuttable presumptions.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Housing Element Law prescribes requirements for a city’s or county’s preparation of, and compliance with, its housing element, and requires the Department of Housing and Community Development to review and determine whether the housing element substantially complies with the Housing Element Law, as specified. Current law requires the housing element to include an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, current law requires that the local government rezone sites within 3 years after the date the housing element is adopted or within one year if the local government fails to adopt a housing element that the department finds to be in substantial compliance with the Housing Element Law within 120 days of the statutory deadline to adopt the housing element. This bill, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or the earlier of 3 years after the date the housing element is adopted or 90 days after receipt of comments from the department, as specified, if the local government satisfies certain requirements, including submitting a draft element or draft amendment to the department for review within specified timeframes and adopting a draft element or draft amendment that the department finds to be insubstantial compliance with the Housing Element Law, as specified.

AB 2029 Jackson D (Dist. 60) Electric vehicle charging stations assessment.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

This bill would require the Energy Commission, beginning January 1, 2025, to biennially conduct an assessment, in consultation with applicable state and federal agencies, of the abundance of electric vehicle charging stations, as defined, with electric vehicle charging station-related accessibility requirements and related guidance from relevant state and federal agencies, as provided. The bill would require the biennial assessment to include a biennial report, and would require the Energy Commission to submit the report to the Legislature concurrently with the Energy Commission’s updates to the statewide assessment of the electric vehicle charging infrastructure. The bill would repeal these provisions on January 1, 2036.

AB 2086 Schiavo D (Dist. 40) Transportation funding: California Transportation Plan: public dashboard.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	2.b
	1st House				2nd House								

Current law requires the Department of Transportation to prepare the California Transportation Plan for submission to the Governor and the Legislature as a long-range planning document that incorporates various elements and is consistent with specified expressions of legislative intent. Current law requires the department to complete the 3rd update to the plan by December 31, 2025, and to update the plan every 5 years thereafter. This bill would require the California Transportation Plan to also include a financial element that summarizes the full cost of plan implementation, a summary of available revenues through the planning period, and an analysis of what is feasible within the plan if constrained by a realistic projection of available revenues, as specified.

AB 2087 Alanis R (Dist. 22) California Environmental Quality Act: disclosure: identity and interests.

Location: ASSEMBLY JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the courts to give an action or proceeding alleging noncompliance with CEQA preference over all other civil actions. CEQA requires superior courts in counties with a population of more than 200,000 people to designate one or more judges to develop expertise in CEQA and certain related laws so that those judges will be available to hear and quickly resolve actions or proceedings alleging noncompliance with CEQA. This bill would require, in all actions or proceedings brought pursuant to the provisions of CEQA, that a filing party include with the filing a disclosure of the identity and interests of the party, as provided. The bill would authorize a court to request more information as needed, including, but not limited to, financial statements and testimony, in the event a filing party that has previously brought an action or proceeding concerning a project makes a subsequent filing in an action or proceeding concerning the same project. Because the bill would impose additional duties on a lead agency that is a filing party to an action or proceeding, the bill would impose a state-mandated local program.

AB 2090 Irwin D (Dist. 42) Office of Farm to Fork: food deserts: transportation.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Office of Farm to Fork to work with transportation agencies to increase the amount of agricultural products available to underserved communities and schools in the state, and to prioritize the Department of Food and Agriculture’s efforts in food deserts, as defined, throughout the state, especially cities and counties that are most impacted by food insecurity, as defined. The bill would require the office to work to overcome those identified distribution barriers by also facilitating partnerships between statewide, regional, and local transportation agencies to address inadequate public transportation lines in urban and rural communities, with the aim of connecting all communities to adequate and nutritional food access, as provided. The bill would require the office to coordinate with school districts and representatives to assess access to school breakfast and lunch programs during scheduled academic calendar breaks and school closures.

AB 2147 Mathis R (Dist. 33) Clean Transportation Program: hydrogen-fueling stations: report: job creation and workforce development.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the State Energy Resources Conservation and Development Commission and the State Air

Resources Board to annually jointly review and report on progress toward establishing a hydrogen-fueling that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state. Current law requires the commission and the state board to consider several things, including, but not limited to, the available plans of automobile manufacturers to deploy hydrogen-fueled vehicles in California and their progress toward achieving those plans in their report. This bill would require the commission and state board's joint review and report to also include information on the progress made on job creation and workforce development in support of hydrogen fueling, limited to the construction, operation, and maintenance of hydrogen-fueling stations that are funded by active commission agreements. The bill would require the report to include the number of related workforce training programs in the state, the number of participants in those workforce training programs, the number of graduates of those workforce training programs, and the number of related jobs in the state that are created annually.

AB 2190 Mathis R (Dist. 33) California Environmental Quality Act: expedited judicial review: infrastructure projects: hydrogen.

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the Governor to certify certain projects, including energy infrastructure projects that meet specified requirements, for streamlining benefits related to the California Environmental Quality Act (CEQA), such as the requirement that judicial actions, including any potential appeals, challenging the certification of an EIR or the granting of approval by a lead agency for certified projects be resolved, to the extent feasible, within 270 days after the filing of the certified record of proceedings with the court. Current law excludes from the definition of “energy infrastructure project” for these purposes any project using hydrogen as a fuel. This bill would delete that exclusion, thereby authorizing the Governor to certify energy infrastructure projects that use hydrogen as a fuel for streamlining benefits related to CEQA, as described above. Because the bill would impose additional duties on lead agencies in conducting the environmental review of energy infrastructure projects using hydrogen as a fuel that are certified by the Governor, including the concurrent preparation of the record of proceedings, this bill would impose a state-mandated local program.

AB 2266 Petrie-Norris D (Dist. 73) California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The State Air Resources Board administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements.

AB 2290 Friedman D (Dist. 44) Transportation: Class III bikeways: bicycle facilities: Bikeway Quick-Build Project Pilot Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes 4 classifications of bikeways and defines a “Class III bikeway” as a bikeway that provides right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists. This bill would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a street with a design speed limit of 20 miles per hour or less or the project will reduce the design speed limit to 20 miles per hour or less.

AB 2302 Addis D (Dist. 30) Open meetings: local agencies: teleconferences.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: ASSEMBLY THIRD READING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.

AB 2314 Lee D (Dist. 24) Tribal housing developments: use by right: density.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards, including, among others, that the development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower or moderate-income housing units required remain available at affordable housing costs or rent to persons and families of lower or moderate income, as specified. This bill would deem a tribal housing development that is located on a site owned in fee simple by the tribe an allowable use if it satisfies specified requirements, including that it is located on an infill lot and it is not located on an environmentally sensitive site, as specified. The bill would define “allowable use” for purposes of these provisions to mean that the development project is a permitted use regardless of zoning designation, as specified.

AB 2394 Grayson D (Dist. 15) California Environmental Quality Act.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA makes various legislative findings and declarations regarding the maintenance of a quality environment for the people of this state and states the intent of the Legislature for state agencies to regulate activities so that major consideration is given to preventing environmental damage. This bill would make nonsubstantive changes to those findings and declarations, and to the statement of intent.

AB 2400 Rivas, Luz D (Dist. 43) California Alternative Energy and Advanced Transportation Financing Authority Act.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: ASSEMBLY REV. & TAX SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing sales and use tax laws impose taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The California Alternative Energy and Advanced Transportation Financing Authority Act establishes the California Alternative Energy and Advanced Transportation Financing Authority. The act authorizes, until January 1, 2026, the authority to provide financial assistance to a participating party in the form of specified sales and use tax exclusions for projects including those that promote California-based manufacturing, California-based jobs, advanced manufacturing, reduction of greenhouse gases, or reduction in air and water pollution or energy consumption. The act prohibits the sales and use tax exclusions from exceeding \$100,000,000 for each calendar year, except as provided. The Sales and Use Tax Law, for the purposes of the taxes imposed pursuant to that law, until January 1, 2026, excludes the lease or transfer of title of tangible personal property constituting a project to any contractor for use in the performance of a construction contract for a participating party that will use that property as an integral part of the approved project. This bill would extend the authorization to provide financial assistance in the form of a sales and use tax exclusion for qualifying projects to January 1, 2031, and would extend the sales and use tax exclusion to January 1, 2031. The bill would make other conforming changes.

AB 2417 Hoover R (Dist. 7) Homelessness: California Interagency Council on Homelessness.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Governor to create the California Interagency Council on Homelessness, and specifies the duties of the coordinating council to include creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. Current law requires agencies and departments administering state programs to collaborate with the California Interagency Council on Homelessness to adopt guidelines and regulations to incorporate core components of Housing First. This bill would repeal Housing First policies and related requirements, thereby removing the requirement on those state agencies and departments to incorporate core components of Housing First.

AB 2418 Patterson, Jim R (Dist. 8) Vehicular air pollution: heavy-duty trucks.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the state board to adopt and implement emission standards for new motor vehicles for the control of emissions from new motor vehicles that the State Air Resources Board finds to be necessary and technologically feasible, as provided. Current state regulations establish exhaust emissions standards and test procedures for 1985 and subsequent model heavy-duty engines and vehicles, as provided. Current law defines “heavy-duty” for purposes of laws governing air resources. This bill would exempt, notwithstanding any other law, 2024 and subsequent model heavy-duty truck that meets federal exhaust emission standards from the state regulations described above governing exhaust emissions standards and test procedures for 1985 and subsequent model heavy-duty engines and vehicles.

AB 2421 Low D (Dist. 26) Employer-employee relations: confidential communications.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization’s representation.

AB 2427 [McCarthy D](#) (Dist. 6) **Electric vehicle charging stations: permitting: curbside charging.**

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law references GO-Biz’s Electric Vehicle Charging Station Permitting Guidebook, which recommends best practices for electric vehicle supply equipment permitting. This bill would require the office to develop a model permitting checklist, model zoning ordinances, and best practices for permit costs and permit review timelines to help local governments permit curbside charging stations as part of the office’s development of the Electric Vehicle Charging Station Permitting Guidebook or any subsequent updates. The bill would also require the office to consult with local governments, electric vehicle service providers, and utilities while developing the above-described materials.

AB 2430 [Alvarez D](#) (Dist. 80) **Planning and zoning: density bonuses: monitoring fees.**

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, commonly referred to as the Density Bonus Law, requires a city, county, or city and county to provide a developer that proposes a housing development within the city or county with a density bonus, waivers or reductions of development standards and parking ratios, and other incentives or concessions, as specified, if the developer agrees to construct certain types of housing, including a housing development in which 100% of the units are for lower income households, except that up to 20% of the units in the development may be for moderate-income households, as specified. This bill would prohibit a city, county, or city and county from charging a monitoring fee, as defined, on those types of housing developments if certain conditions are met, except as specified. The bill would provide that, beginning on January 1, 2025, any housing development that is currently placed in service, is subject to monitoring fees, and meets those conditions shall no longer be subject to those fees.

AB 2431 [Mathis R](#) (Dist. 33) **Taxation: Transactions and Use Tax Law: limit increase.**

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general or specific purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes that may be imposed in accordance with that law in the county not exceed 2%. This bill would authorize a city, county, or city and county to impose a transactions and use tax at a rate of no more than an unspecified percentage that, in combination with other transactions and use taxes, would exceed the above-described combined rate limit of 2%, if certain conditions are met, including that the city, county, or city and county has reached the 2% rate limitation.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Western Joshua Tree Conservation Act would prohibit any person or public agency from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state, a western Joshua tree or any part or product of the tree, except as provided. Pursuant to that act, the Department of Fish and Wildlife is authorized to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects concurrent with its approval of the project if certain conditions are met. This bill would additionally authorize the department to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with commercial and industrial projects, as provided.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would, upon appropriation by the Legislature, establish an Electric Vehicle Economic Opportunity Zone (EVEOZ) for the County of Riverside, administered by the California Competes Tax Credit Committee, for the purpose of creating programs to make electric vehicle manufacturing jobs and education more accessible to lower income communities. The bill would require County of Riverside to assist in determining the geographical boundaries of the EVEOZ. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would authorize the committee to partner with educational institutions, electric vehicle manufacturing businesses, and local and national financial institutions to develop EVEOZ education, training, and investment programs, as specified.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law provides that the Department of Food and Agriculture has general supervision of the weights and measures and weighing and measuring devices sold or used in the state, including devices used to measure electricity sold as a motor vehicle fuel. Existing law regulates the use and repair of weighing or measuring devices. Current law authorizes a device to be placed in service only by a sealer or a service agency. This bill would prohibit, until January 1, 2028, requiring electric vehicle supply equipment (EVSE) to be retested or placed in service by a service agent or sealer if the EVSE has previously been placed in service by a service agent or sealer before the EVSE is used after receiving routine repairs, as defined.

Location: ASSEMBLY JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Davis-Stirling Common Interest Development Act defines and regulates common interest developments, including member elections. Existing law prescribes that a quorum is required only if stated in the governing documents or by law. In the absence of a quorum, current law authorizes an association to adjourn the proceeding to a date at least 20 days after the adjourned proceeding, at which time the quorum required for purposes of a

membership meeting is 20% of the voting members present in person, by proxy, or by secret written ballot. Current law requires an association to provide general notice of the membership meeting, as specified, no less than 15 days prior to the election of directors. In the absence of a quorum, this bill would instead authorize an association to adjourn the meeting to a date at least 20 days after the adjourned meeting, at which time the quorum required for purposes of a reconvened meeting would be 20% of the members voting in person, by proxy, or by secret ballot.

AB 2463 Alanis R (Dist. 22) Railroad employee safety.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law grants the Division of Occupational Safety and Health jurisdiction over the safety and health of railroad employees, as specified. Current law authorizes a conductor to place a pusher engine ahead of the caboose, as defined, if conditions warrant it for the safety of the occupants of a caboose. This bill would make nonsubstantive changes to provisions relating to the above-described authority of a conductor.

AB 2464 Alanis R (Dist. 22) Employment eligibility: reverification.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law imposes various requirements on public and private employers with regard to federal immigration agency worksite enforcement actions. Current law, except as required by federal law, prohibits a public or private employer, or a person acting on behalf of a public or private employer, from reverifying the employment eligibility of a current employee at a time or in a manner not required by specified federal law. Current law prescribes a penalty of up to \$10,000 for a violation of this prohibition to be recoverable by the Labor Commissioner. This bill would make a nonsubstantive change to these provisions.

AB 2472 Alvarez D (Dist. 80) State freeways: air space.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a public agency that has responsibility for the planning and development of public transportation systems to use airspace over or under an existing state freeway as a route for a public transportation system, as provided. This bill would make nonsubstantive changes to this provision.

AB 2474 Lackey R (Dist. 34) Retirement: County Employees Retirement Law of 1937: benefit payments and overpayments.

Location: ASSEMBLY CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Public Employees’ Pension Reform Act of 2013 (PEPRA) prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, the types of remuneration that may be included in compensation that is applied to pensions. Under CERL, the board of retirement is required to comply with and give effect to a revocable written authorization signed by a retired member or beneficiary of a retired member, as described, authorizing the treasurer or other entity authorized by the board to deliver the monthly warrant, check, or electronic fund transfer for the retirement allowance or benefit to any specified bank, savings and loan institution, or credit union to be credited to the account of the retired member or survivor of a deceased retired member. This bill would also define “account of the retired member or survivor of a deceased retired member” to include an account held in a living trust or an income-only trust, as specified.

AB 2479 Haney D (Dist. 17) Housing First: core components.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires agencies and departments administering state programs related to homelessness to adopt guidelines and regulations to incorporate core components of Housing First, as defined. Under current law, Housing First includes time-limited rental or services assistance, so long as the housing and service provider assists the recipient, among other things, in accessing permanent housing. Current law defines “state programs” for this purpose as any program a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness, except as provided. Under existing law, the core components of Housing First include, among others, services that are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants’ lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses. This bill would clarify, pursuant to that core component, that state departments and agencies may allow programs to fund recovery housing, as defined, if the state program uses at least 75% of funds for housing or housing-based services using a harm-reduction model and the recovery housing complies with specified requirements.

AB 2480 Garcia D (Dist. 36) Zero-emission schoolbus replacement grants: private contractors.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law appropriates, for the 2023–24 fiscal year, \$375,000,000 from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund grants to local educational agencies, as defined, for zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies, as specified, and \$125,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund grants to local educational agencies for zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement those vehicle investments, as specified. This bill would also make the above-described grants available to a private contractor, defined as an entity under contract with a school district, county office of education, or charter school with ownership of title for a schoolbus that is used to provide transportation services for the school district, county office of education, or charter school, as provided. By expanding the scope of eligibility for purpose of an appropriation, the bill would make an appropriation.

AB 2482 Papan D (Dist. 21) County treasurer: settlement of accounts.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the county treasurer to settle the county treasurer’s accounts relating to the collection, care, and disbursement of public revenue with the auditor no less frequently than monthly. Current law additionally requires the county treasurer, upon the request of the auditor, to provide a settlement of cash receipts and disbursements of the prior calendar month to the auditor on or before 10 business days after the treasurer receives the auditor’s request. This bill would instead require the treasurer, upon the request of the auditor, to provide a settlement of cash receipts and disbursements of the prior calendar month to the auditor on or before 12 business days after the treasurer receives the auditor’s request.

AB 2485 Carrillo, Juan D (Dist. 39) Regional housing need: determination.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	2.b
	1st House				2nd House								

The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, which includes, among other mandatory elements, a housing element. That law requires, for the 4th and subsequent revisions of the housing element, the Department of Housing and Community Development (department) to determine the existing and projected need for housing for each region, as specified. That law requires the department, in consultation with the council of governments, to determine the existing and projected need of housing for each region in a specified manner. That law requires the department's determination to be based upon population projections produced by the Department of Finance, as specified. That law also requires the department to meet and consult with the council of governments regarding the assumptions and methodologies to be used to determine each region's housing need and requires the council of governments to provide data assumptions from the council of governments' projections, as specified. That law authorizes the department to accept or reject the information provided by the council of governments and, after consultation with each council of governments, to make determinations on the council of governments' data assumptions and the methodology the department will use to determine each region's housing need. That law requires the department to provide its determinations to each council of governments, as specified. This bill would require the department to publish on its internet website the data sources, analyses, and methodology, as specified, prior to finalization of the regional determination.

AB 2487 Fong, Mike D (Dist. 49) Deputy Secretary for Climate.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, upon appropriation by the Legislature, establishes the position of Deputy Secretary for Climate within the Labor and Workforce Development Agency, to be appointed by the Governor and subject to confirmation by the Senate, for the purpose of assisting in the oversight of California's workforce transition to a sustainable and equitable carbon-neutral economy. Current law requires the deputy secretary to perform specified duties, including creating or coordinating programs with other state agencies to retrain and upskill workers for, among other jobs, clean energy jobs, as specified. On or before January 1, 2025, and annually thereafter, current law requires the deputy secretary to submit a report to the Legislature on key findings and recommendations regarding the development and implementation of the workforce transition to a sustainable and equitable clean energy economy. This bill would also require the deputy secretary to create and maintain a green jobs website that serves as the central hub for employment opportunities related to the transition to carbon-neutral jobs.

AB 2488 Ting D (Dist. 19) Downtown revitalization and economic recovery financing districts: City and County of San Francisco.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize the City and County of San Francisco to designate a downtown revitalization and economic recovery financing district for the purpose of financing office-to-residential conversion projects with incremental tax revenues generated by office-to-residential conversion projects within the district. The bill would require the boundaries of the district to be contiguous with the boundaries of the City and County of San Francisco.

AB 2503 Lee D (Dist. 24) California Environmental Quality Act: exemption: passenger rail projects.

Location: ASSEMBLY CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative

declaration for a project that may have a significant effect on the environment if revisions in the project would or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements certain transportation-related projects if specified requirements are met, including that a local agency, as defined, is carrying out the project and that the project will be completed by a skilled and trained workforce, as provided. CEQA includes within these exempt transportation-related projects a public project for the institution or increase of bus rapid transit, bus, or light rail service, which will be exclusively used by low-emission or zero-emission vehicles, on existing public rights-of-way or existing highway rights-of-way. Current law requires the lead agency, if it determines that a transportation-related project is exempt from CEQA and determines to carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in which the project is located. This bill would expand that exemption from CEQA to include a public project for the institution or increase of other passenger rail service, which will be exclusively used by zero-emission trains, on existing public rights-of-way or existing highway rights-of-way. Because the bill would increase the duties of the county clerk, this bill would impose a state-mandated local program.

AB 2522 Carrillo, Wendy D (Dist. 52) South Coast Air Quality Management District: district board: compensation.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law provides for the creation of the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the area of the South Coast Air Basin, as specified. Current law provides that the south coast district is governed by a district board consisting of 11 members. This bill would provide that each member of the board shall receive compensation of \$200 for each day, or portion thereof, but not to exceed \$2,000 per month, while attending meetings of the board or any committee thereof or, upon authorization of the board, while on official business of the district, and the actual and necessary expenses incurred in performing the member’s official duties. The bill would provide that the compensation of each member of the board may be increased beyond this amount by the board, as specified.

AB 2525 Zbur D (Dist. 51) State highways: property leases.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law vests the Department of Transportation with full possession and control of the state highway system, including associated property. Current law authorizes the department to offer leases to the City of Los Angeles on a right of first refusal basis for any airspace under a freeway or certain real property acquired for highway purposes located in the city for purposes of an emergency shelter or feeding program for a lease amount, for up to 10 parcels of \$1 per month, and a payment of an administrative fee not to exceed \$500 per year, as specified. This bill would expand the purposes for which these leases may be issued to include an emergency shelter or feeding program, a secure vehicle lot program, or any combination of those purposes.

AB 2535 Bonta D (Dist. 18) Trade Corridor Enhancement Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the California Transportation Commission, under a program commonly known as the Trade Corridor Enhancement Program, to allocate, upon appropriation by the Legislature, revenues from a specified portion of the state excise tax on diesel fuel and certain federal funds to infrastructure projects located on or along specified transportation corridors. Under current law, eligible projects under the program include, among others,

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

highway improvements to more efficiently accommodate the movement of freight and environmental and climate change mitigation or efforts to reduce environmental impacts of freight movement. Under the program, existing law requires the commission to adopt a program of projects from projects nominated by the Department of Transportation and local agencies. In adopting the program of projects, existing law requires the commission to evaluate the total potential economic and noneconomic benefits of the program of projects to California’s economy, environment, and public health, and to specifically assess localized impacts in disadvantaged communities. Current law also requires the California Environmental Protection Agency to identify disadvantaged communities, and, pursuant to that requirement, the agency has developed a tool to identify those communities, commonly known as CalEnviroScreen. This bill would, commencing January 1, 2025, require the commission, the Department of Housing and Community Development, and the State Air Resources Board to create guidance for the programming of projects under the Trade Corridor Enhancement Program that expand the physical footprint of a highway in a community in the highest 10% of CalEnviroScreen communities. Commencing January 1, 2028, the bill would require this guidance to be incorporated into the programming cycle.

Position: Oppose

AB 2536 Hoover R (Dist. 7) Vehicles: local registration fees.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a specific fee, in addition to other fees imposed for the registration of a vehicle, to be expended in part to fund programs to deter, investigate, and prosecute vehicle theft crimes. This bill would, for purposes of this requirement, define vehicle theft crimes to include the theft of vehicle parts or components.

AB 2553 Friedman D (Dist. 44) Housing development: major transit stops: vehicular traffic impact fees.

Location: ASSEMBLY CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes.

AB 2555 Quirk-Silva D (Dist. 67) Sales and use tax: exemption: medicinal cannabis: donations.

Location: ASSEMBLY REV. & TAX SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidate the licensure and regulation of commercial medicinal and adult-use cannabis activities. Current sales and use tax laws impose use taxes on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state, presumes tangible personal property purchased outside the state that is stored, used, or consumed in this state is purchased for use in this state, and provides various exemptions from those taxes. Current law exempts from the use tax the storage, use, or other consumption in this state of medicinal cannabis or medicinal cannabis products that are donated, for no consideration, under specified circumstances. Current law requires the exemption to apply only if the cannabis retailer certifies in writing, as specified, that the medicinal cannabis or medicinal cannabis product will be used as specified. Current law makes a licensee that uses the donated medicinal cannabis or medicinal cannabis product in

some other manner, or for some other purpose, liable for the payment of use tax and subject to having their suspension suspended. Current law repeals these provisions 5 years after the specified operative date. This bill would extend these provisions until January 1, 2030.

AB 2559 Petrie-Norris D (Dist. 73) Local planning: electric vehicle service equipment: permitting delays.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

This bill would require the Governor's Office of Business and Economic Development (GO-Biz) to create and maintain a publicly accessible internet website that contains a landing page with functionality to collect information and report delays and denials in the permitting of electric vehicle service equipment, as specified. The bill would require GO-Biz to establish a working group to evaluate the data it receives from the internet website and direct the working group to determine recommended solutions to address permitting delays. The bill would require, on or before January 1, 2026, GO-Biz to submit to the Legislature and publish on its internet website a comprehensive report regarding the challenges identified throughout the data collection process, as specified. The bill would also require GO-Biz to establish a permit streamlining specialist to assist authorities having jurisdiction with permit delays and denials related to these provisions.

AB 2560 Alvarez D (Dist. 80) Density Bonus Law: California Coastal Act of 1976.

Location: ASSEMBLY SECOND READING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Density Bonus Law provides that its provisions do not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976, and requires that any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled under the Density Bonus Law be permitted in a manner consistent with the act. This bill would provide that any density bonus concessions, incentives, waivers or reductions of development standards, and parking ratios to which an applicant is entitled under the Density Bonus Law be permitted notwithstanding the act if the development is not located on any of specified sites.

AB 2583 Berman D (Dist. 23) School zones and walk zones.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive general plan that includes various elements, including a circulation element to plan for transportation routes. This bill would require, upon any substantive revision of the circulation element on or after January 1, 2025, the legislative body of city or county, to identify and establish school walk zones for all schools located within the scope of the general plan.

AB 2584 Lee D (Dist. 24) Single-family residential real property: corporate entity: ownership.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would prohibit a business entity, as defined, that has an interest in more than 1,000 single-family residential properties from purchasing, acquiring, or otherwise obtaining an interest in another single-family residential property and subsequently leasing the property. The bill would authorize the Attorney General to bring a civil action for a violation of these provisions, and would require a court in a civil action in which the Attorney General prevails to order specified relief, including that the business entity pay a civil penalty of \$100,000 for each violation and that th

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

business entity sell the property to an independent third party within one year of the date that the court entered judgment.

AB 2590 Reyes D (Dist. 50) San Bernardino County Transportation Authority: contracting.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law creates the San Bernardino County Transportation Authority with various powers and duties relative to transportation planning and funding in the County of San Bernardino. Existing law requires the authority's contracts for the purchase of supplies, equipment, and materials, and the construction of all facilities and works, to be let to the lowest responsible bidder when the expenditure required exceeds \$25,000. Existing law also requires the authority to obtain a minimum of 3 quotations, either written or oral, that permit prices and terms to be compared whenever the expected expenditure required exceeds \$1,000 but not \$25,000. This bill would authorize a contract for the purchase of supplies, equipment, or materials with a required expenditure that exceeds \$150,000 to be let to the lowest responsible bidder, or, in the authority's discretion, to the responsible bidder who submitted a proposal that provides the best value to the authority on the basis of the factors identified in the solicitation. The bill would also require, to the extent practicable, the authority to obtain a minimum of 3 quotations, either written or oral, that permit prices and terms to be compared whenever the expected expenditure required for the purchase of supplies, equipment, or materials exceeds \$5,000 but does not exceed \$150,000.

Position: Sponsor

AB 2592 Grayson D (Dist. 15) Local planning: housing elements: water and sewer services.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires that the housing element adopted by the legislative body of the city, county, or city and county and any amendments made to that element be delivered to all public agencies or private entities that provide water or sewer services, as described, within the territory of the legislative body. Current law requires each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed developments that include housing units affordable to lower income households. Existing law also requires a public agency or private entity providing water or sewer services to adopt written policies and procedures not later than July 1, 2006, and at least once every 5 years thereafter, with specific objective standards for provision of services, as described. This bill would instead require each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed housing developments, which the bill would define for these purposes to include both housing developments that include units sold or rented to lower income households, as provided in existing law as described above, and housing developments constructed pursuant to specified laws providing for ministerial approval of certain housing developments or subdivision maps. The bill would also update the compliance date to adopt written policies and procedures to July 1, 2025, and continue to require the adoption of those written policies and procedures at least once every 5 years thereafter.

AB 2626 Dixon R (Dist. 72) Advanced Clean Fleets regulations: local governments.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025.

AB 2634 **McCarthy D (Dist. 6) Sacramento Regional Transit District.**

Location: ASSEMBLY SECOND READING

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the formation of the Sacramento Regional Transit District with various powers and duties with respect to transportation planning, programming, construction, and operations. Current law requires each transit operator, including the district, that offers reduced fares to senior citizens to also offer reduced fares to disabled persons, as defined, and disabled veterans, as defined, at the same rate established for senior citizens, as specified. This bill would exempt the district from that requirement until January 1, 2027.

AB 2638 **Ward D (Dist. 78) Housing programs: financing.**

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Department of Housing and Community Development and requires it to administer various programs intended to promote the development of housing and to provide housing assistance and home loans. Current law sets forth various general powers of the department in implementing these programs, including authorizing the department to enter into long-term contracts or agreements of up to 30 years for the purpose of servicing loans or grants or enforcing regulatory agreements or other security documents. Unless an extension of a department loan, the reinstatement of a qualifying unpaid matured loan, the subordination of a department loan to new debt, or an investment of tax credit equity would result in a rent increase for tenants of a development, authorizes the Department of Housing and Community Development to approve an extension, reinstatement, subordination, payoff, extraction, or investment pursuant to specified rental housing finance programs, as specified, or if the department determines that a project has, or will have after rehabilitation or repairs, a potential remaining useful life equal to or greater than the term of the restructured loan. Current law authorizes the department to charge a monitoring fee to cover the aggregate monitoring costs in years the loan is extended and a transaction fee to cover its costs for processing restructuring transactions, and requires developer fee limitations to be consistent with specified laws and regulations, including regulations by the California Tax Credit Allocation Committee. This bill would revise and recast these provisions, including additionally authorizing the department to approve the payoff of a department loan in whole or part before the end of its term and the extraction of equity from a development for purposes approved by the department.

AB 2639 **Patterson, Joe R (Dist. 5) Forestry: timber operations: maintenance of timberlands for fuels reduction.**

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. Current law defines "timber operations" for purposes of the act. The act provides that any person who willfully violates any provision of the act or rule or regulation of the State Board of Forestry and Fire Protection is guilty of a misdemeanor. This bill would expand the definition of "timber operations"

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

to include the maintenance of timberlands through fuels reduction paid in part or in whole with public funds expanding the scope of a crime, the bill would create a state-mandated local program. The bill would provide that timber operations for the maintenance of timberland, paid in part or in whole with public funds, may, as an alternative to obtaining an approved timber harvesting plan, comply with the requirements of the California Environmental Quality Act (CEQA).

AB 2645 Lackey R (Dist. 34) Electronic toll collection systems: information sharing: law enforcement.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

Current law prohibits a transportation agency, as defined, from selling or otherwise providing to any other person or entity, with certain exceptions, personally identifiable information of a person who subscribes to an electronic toll collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system. Under current law, a transportation agency is authorized to make personally identifiable information of a person available to a law enforcement agency only pursuant to a search warrant, except under certain circumstances. Current law defines “personally identifiable information” for these purposes and provides that it includes, among other things, a license plate number. Current law authorizes a law enforcement agency to request the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Current law also authorizes the CHP, upon the request of a law enforcement agency, to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality. This bill, if the CHP activates one of the above-mentioned alerts and that alert contains a license plate number of a vehicle involved in the incident, would require a transportation agency that employs an electronic toll collection system to notify the CHP and the law enforcement agency that requested the alert upon identifying that vehicle with that license plate number using a camera-based vehicle identification system or other electronic medium employed in connection with the electronic toll collection system.

Position: Support

AB 2649 Wicks D (Dist. 14) State government: housing projects.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

Would state the intent of the Legislature to enact legislation that would designate an unspecified state entity with permitting authority for housing projects of statewide significance, and would make related findings and declarations.

AB 2656 Patterson, Jim R (Dist. 8) Tribal gaming: compact ratification.

Location: ASSEMBLY RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
	1st House				2nd House							

The California Constitution authorizes the Governor to negotiate and conclude tribal-state gaming compacts, subject to ratification by the Legislature. Current law expressly ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes. The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would ratify the tribal-state gaming compact entered into between the State of California and the Table Mountain Rancheria,

executed on November 1, 2023. The bill would provide that, in deference to tribal sovereignty, certain acts related to this compact are not projects for purposes of CEQA.

AB 2662 Mathis R (Dist. 33) Sale of agricultural land: tribal first right of refusal.

Location: ASSEMBLY AGRI.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require a property owner selling agricultural land within an area of cultural and traditionally significant land to send, before selling or participating in negotiations to sell that agricultural land to a prospective buyer, a notice of first right of refusal for the agricultural land to a California Native American tribe affiliated with the cultural and traditionally significant land within the area of the agricultural land. The bill would require a California Native American tribe desiring to purchase the agricultural land to notify, in writing, the property owner of its interest in purchasing the agricultural land within 30 days after the notice of first right of refusal is provided. The bill would, after the property owner receives a notice of interest from a California Native American tribe, require the property owner and tribe to enter into good faith negotiations to determine mutually satisfactory terms of the sale except for the price, as specified. The bill would require the price to be the appraised fair market value of the agricultural land, unless otherwise mutually agreed upon by all parties to the sale. The bill would authorize the property owner to transfer the agricultural land without regard for these provisions, if the property owner does not receive a notice of interest from a California Native American tribe 30 days after the notice of first right of refusal is provided, or if the terms, besides price, cannot be agreed upon after a good faith negotiation period of not less than 90 days. This bill would provide that if a California Native American tribe purchases agricultural land in accordance with this bill, the tribe shall continue to use the agricultural land for agricultural purposes.

AB 2663 Grayson D (Dist. 15) Affordable housing fees: reports.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Mitigation Fee Act, among other things, imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project, including requiring the local agency to identify the use to which the fee is to be put, as specified. The act requires a local agency, upon receipt of a fee subject to these provisions, to deposit, invest, account for, and expend the fees as specified. For the 5th fiscal year following the first deposit into the account of fund, and every 5 years thereafter, the act requires the local agency to make prescribed findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted, including demonstrating a reasonable relationship between the fee and the purpose for which it is charged. This bill, commencing on January 1, 2026, would require a local agency that collects inclusionary housing zoning in-lieu fees to annually post on its internet website the amount of those fees collected in the previous year and whether those fees are intended to be used for a project, if any. The bill, commencing on January 1, 2026, and every 5 years thereafter, would require a local agency that collects inclusionary housing zoning in-lieu fees to post on its internet website the amount of those fees collected in the past 5 years and the project those fees were spent on.

AB 2665 Lee D (Dist. 24) Housing finance: Mixed Income Revolving Loan Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish, upon appropriation by the Legislature, the Mixed Income Revolving Loan Program within the California Housing Finance Agency to provide zero-interest construction loans to qualifying residential, infill housing developers for purposes of constructing deed-restricted affordable housing. The bill would require the agency to administer the program pursuant to specified requirements, including that any loans provided under the program be

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

for the development of multifamily housing projects where a portion of the housing units in the project are s to ensure affordability, as specified. The bill would require the agency to be the administrator of the program and to promulgate rules and regulations deemed necessary for the administration and implementation of its provisions.

AB 2667 Santiago D (Dist. 54) Affirmatively furthering fair housing: housing element: reporting.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law defines “affirmatively furthering fair housing” as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. Current law requires a housing element to include a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through, among other things, the administration of land use and development controls and the provision of regulatory concessions and incentives. Current law requires this program to affirmatively further fair housing and consist of specified components, including a summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction’s fair housing enforcement and fair housing outreach capacity. This bill would require the Department of Housing and Community Development to develop a standardized reporting format for programs and actions taken with regards to the local agency affirmatively further fair housing that enables the reporting of the assessment components described-above, as specified. The bill would require local governments to utilize the standardized reporting format for the 7th and each subsequent revision of the housing element.

AB 2669 Ting D (Dist. 19) Toll bridges: tolls.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used to fund the cost of constructing the bridge.

AB 2676 Gabriel D (Dist. 46) Housing elements.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires a city, county, or city and county to submit a draft housing element or draft amendment to its housing element to the Department of Housing and Community Development for a determination as to whether the draft complies with state law governing housing elements. Current law imposes certain requirements on an action brought by an interested party to review the conformity of a housing element with applicable state law. This bill would make a nonsubstantive change to the provision imposing certain requirements on those actions.

AB 2678 Wallis R (Dist. 47) Vehicles: high-occupancy vehicle lanes.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Current state law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs). Current federal law authorizes, until September 30, 2025, a state to allow specified alternate fuel and plug-in electric or hybrid vehicles to use lanes designated for HOVs. Current state law authorizes the Department of Motor Vehicles to issue decals or other identifiers to qualified vehicles, as specified. Current state law allows a vehicle displaying a valid decal or identifier issued pursuant to these provisions to be operated in a lane designated for the exclusive use of HOVs regardless of the occupancy of the vehicle. These existing state laws, by operation of their provisions, become inoperative on the date the federal authorization expires. Current state law also repeals these provisions on September 30, 2025. This bill would extend the repeal date of these provisions until January 1, 2027.

AB 2687 Flora R (Dist. 9) Automated traffic enforcement systems.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

This bill would, until January 1, 2030, authorize a city or city and county to establish an automated traffic enforcement system for a period of 5 years if, among other things, the system meets the criteria specified above. The bill would require a violation of any traffic law that is recorded by an automated traffic enforcement system to be subject only to a civil penalty, and would prohibit the Department of Motor Vehicles from suspending or revoking the privilege of a violator to drive a motor vehicle. The bill would require a notice of violation to be in writing and issued to the registered owner of the vehicle within 15 calendar days of the date of the violation.

AB 2697 Irwin D (Dist. 42) Transportation electrification: electric vehicle charging infrastructure.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law prohibits persons desiring to use an electric vehicle charging station that requires payment of a fee from being required to pay a subscription fee to use the station and from being required to obtain membership in any club association, or organization as a condition of using the station. This bill would require the State Energy Resources Conservation and Development Commission (Energy Commission) to develop network roaming requirements for electric vehicle chargers and charging station networks by January 1, 2026, that would apply to the charging network of charging network providers that received an incentive from a state agency or through a charge on ratepayers, as specified. The bill would repeal this requirement on January 1, 2035.

AB 2698 Ta R (Dist. 70) Route 405: Little Saigon Freeway.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law vests the Department of Transportation with full possession and control of all state highways. Existing law describes the authorized routes in the state highway system, including that for Route 405 from Route 5 near El Toro to Route 5 near San Fernando. This bill would specify that Route 405 from Bolsa Chica Road to Magnolia Street in the County of Orange shall be known and designated as the Little Saigon Freeway, and would require the department to determine the cost of appropriate signs showing that special designation and, upon receiving donations from nonstate sources sufficient to cover the cost, to erect those signs, as specified.

AB 2700 Gabriel D (Dist. 46) Emergency medical services: alternate destinations.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a local EMS agency to develop a community paramedicine or triage to alternate destination

program that, among other things, selects providers to triage individuals to mental health facilities and sober centers as alternates to emergency departments. Current law requires the Emergency Medical Services Authority to develop and, after approval by the Commission on Emergency Medical Services, adopt regulations and establish minimum standards for the development of those programs. This bill would require the state to survey and analyze the facilities in each county that can serve as an alternate destination facility. The bill would require a local emergency medical services agency to annually report to the Emergency Medical Services Authority regarding the development of triage to alternate destination programs in its jurisdiction, as specified.

AB 2712 Friedman D (Dist. 44) Preferential parking privileges: transit-oriented development.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapered
	1st House				2nd House							

Current law authorizes a local authority, by ordinance or resolution, to prohibit or restrict the stopping, parking, or standing of vehicles on certain streets or highways during all or certain hours of the day. Current law authorizes the ordinance or resolution to include a designation of certain streets upon which preferential parking privileges are give to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued permits that exempt them from the prohibition or restriction of the ordinance or resolution. Current law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit, as defined unless the public agency makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city’s, county’s, or city and county’s ability to meet its share of the regional housing need for low- and very low income households. This bill would, for purposes of its provisions, define “development project” to mean a residential, commercial, or other development project exempt from minimum automobile parking requirements, or subject to parking minimum reductions based on any other applicable law, located within the boundaries of the City of Los Angeles. This bill, for a development project that is located within a preferential parking area, would require the development project to be excluded from the boundaries of the preferential parking area and would prohibit the local authority, as defined, from issuing any permit to the residents, vendors, or visitors of the development project that grants preferential parking privileges.

AB 2715 Boerner D (Dist. 77) Ralph M. Brown Act: closed sessions.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapered
	1st House				2nd House							

The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Current law authorizes a legislative body to hold a closed session with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity.

AB 2717 Alvarez D (Dist. 80) Planning and zoning: housing element: annual progress report.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapered
	1st House				2nd House							

This bill would require each planning agency, in their above-described annual report, to include the number of rental housing units and for-sale units that have been completed, as evidenced by the project’s certificate of occupancy, pursuant to the above-described assessment and inventory.

AB 2719 Wilson D (Dist. 11) Vehicles: commercial vehicle inspections.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would authorize a public transit agency, as defined, to request the California Highway Patrol (CHP) to conduct an annual inspection and certification of its fleet. The bill would authorize the Commissioner of the CHP to issue stickers or other devices as evidence of certification. The bill would exempt any public transit agency vehicle that has been certified through that inspection from the requirement to stop at a roadside inspection.

AB 2728 Gabriel D (Dist. 46) Planning and zoning: housing development: independent institutions of higher education and religious institutions.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Affordable Housing on Faith and Higher Education Lands Act of 2023 (the act) requires a housing development project on certain lands owned by an independent institution of higher education or a religious institution to be a use by right if the development project satisfies specified criteria, including that a specified percentage of the development project's total units are for lower income households. This bill would require a local government to include in the annual report specified information relating to housing development projects under the act, including the number of applications submitted and the total number of building permits issued under the act. The bill would require the Department of Housing and Community Development, by July 1, 2025, to develop and publish a list of existing state grants and financial incentives in connection with the planning, construction, and operation of very low, low-, and moderate-income housing on land owned by religious institutions and independent institutions of higher education, and a set of model partnership agreements that can be used by those institutions when they partner with an affordable housing builder.

AB 2735 Rubio, Blanca D (Dist. 48) Joint powers agreements: water corporations.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law, the Joint Exercise of Powers Act, authorizes 2 or more public agencies, if authorized by their governing bodies, by agreement to jointly exercise any power common to the contracting parties. Existing law authorizes a mutual water company, as defined, to enter into a joint powers agreement with a public agency for these purposes. Existing law authorizes 2 or more local public entities, or a mutual water company and a public agency, to provide insurance, as specified, by a joint powers agreement. Existing law authorizes local public entities or a mutual water company and a public agency to enter into a joint powers agreement for the purposes of risk-pooling, as specified. This bill would authorize a water corporation, as defined, to enter into a joint powers agreement with a public agency for the purpose of jointly exercising any power common to the contracting parties. The bill would also authorize a water corporation and one or more public agencies to provide insurance, as specified, by a joint power agreement. The bill would also authorize a water corporation and one or more public agencies to enter into a joint powers agreement for the purposes of risk-pooling, as specified.

AB 2743 Pacheco D (Dist. 64) Insurance: personal vehicle sharing.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law generally regulates classes of insurance, including automobile liability insurance. Current law prohibits classifying a private passenger motor vehicle as a commercial vehicle, for-hire vehicle, permissive use vehicle, or livery solely because its owner allows it to be shared, if specified criteria are met, including if the annual revenue received by the vehicle's owner generated by the personal vehicle sharing of the vehicle does not exceed the annual

expenses of owning and operating the vehicle. Current law requires a personal vehicle sharing program, for vehicle that it facilitates the use of, among other things, to provide insurance coverages for the vehicle and operator of the vehicle that are equal to or greater than the insurance coverages maintained by the vehicle owner, but no less than 3 times the minimum coverage amounts for private passenger vehicles. Current law requires an owner or operator of a motor vehicle, or an owner of a vehicle used to transport passengers for hire not regulated by the Public Utilities Commission, to maintain liability insurance coverage for the named insured and any other person using the vehicle with permission in the amount of \$15,000 for the bodily injury or death of any one person, \$30,000 for the bodily injury or death of all persons, and \$5,000 for damage to the property of others resulting from any one accident. Current law increases these minimum amounts to \$30,000, \$60,000, and \$15,000, respectively, on January 1, 2025. This bill would require a personal vehicle sharing program to provide, instead, insurance coverages for the vehicle and operator at a minimum of \$45,000 for bodily injury or death for one person \$90,000 for bodily injury or death for all persons, and \$15,000 for property damage, and, on and after January 1, 2035, to provide liability coverage at least 3 times the minimum insurance requirements for private passenger vehicles. The bill would require a personal vehicle sharing program to disclose to a vehicle owner and any person that operates the vehicle specified information, including the minimum mandatory coverage and limits that the personal vehicle sharing program is required to provide and the coverages and limits provided.

AB 2744 McCarty D (Dist. 6) Vehicles: pedestrian, bicycle, and vehicle safety.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the legislative body of a city to do any and all things necessary to lay out, acquire, and construct a section or portion of a street or highway within its jurisdiction as a freeway and to make an existing street or highway a freeway. Current law authorizes a legislative body of a city, whenever this legislative body determines that it is necessary for the more efficient maintenance, construction, or repair of streets and roads within the city, to contract with the board of supervisors of any county for the rental of the county’s equipment, as specified. This bill would, beginning on January 1, 2025, prohibit the construction of slip lanes, as defined.

AB 2750 Gallagher R (Dist. 3) Electricity: procurement: generation from biomass.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Current law requires electrical corporations, in addition to other requirements to procure generating capacity from bioenergy projects, to collectively procure, by December 1, 2023, their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects that commenced operations before June 1, 2013, and that use certain feedstocks. This bill would extend that procurement deadline to July 1, 2025.

AB 2760 Muratsuchi D (Dist. 66) Lower Emissions Equipment at Seaports and Intermodal Yards Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would, until January 1, 2032, enact the Lower Emissions Equipment at Seaports and Intermodal Yards Program. The program would be administered by the State Air Resources Board and would require the state board to approve as covered equipment applicable cargo handling equipment that will reduce cumulative emissions at seaports and intermodal yards in the state. The bill would require a covered equipment application to be approved by the state board if the applicant demonstrates that the total surplus emissions from covered equipment are lower cumulative emissions than the emissions resulting from compliance with the current applicable cargo handling

equipment statute, regulation, or rule, as determined by the state board pursuant to the methodology established in the bill, or that the covered equipment meets the standards and definitions for zero emissions set forth under a specified European Union regulation. The bill would require the state board to establish and certify the useful lifespan of each item of covered equipment, and to certify cargo handling equipment as covered equipment if the applicant seller, reseller, distributor, or manufacturer of the cargo handling equipment demonstrates to the state board that the equipment satisfies specified criteria. The bill would require the state board to establish an application fee, as specified, and would require the application fees to be deposited in the Air Pollution Control Fund and made available to the state board upon appropriation by the Legislature. The bill would require a covered equipment application to be provided to the state board for approval before December 31, 2025. The bill would require the state board, by January 1, 2027, and January 1, 2031, to evaluate the impact of the program on state and local clean air efforts to meet state and local clean air goals and to hold at least one public workshop before completing the evaluation.

AB 2793 Gabriel D (Dist. 46) Housing elements: prohousing incentives.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Current law requires the Department of Housing and Community Development to determine whether the housing element is in substantial compliance with those provisions. Current law requires the department to designate jurisdictions as prohousing pursuant to emergency regulations adopted by the department, as prescribed. Current law awards jurisdictions that are prohousing and that are in substantial compliance with specified provisions additional points or preference in the scoring of applications for specified state programs. This bill would make nonsubstantive changes to those provisions.

AB 2794 Bryan D (Dist. 55) Community development: Antidisplacement Commercial Property Acquisition Program.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Antidisplacement Commercial Property Acquisition Program, to be administered by GO-Biz to provide low-interest loans to eligible community-based acquisition partners to acquire commercial property in communities that are vulnerable to gentrification and displacement. The bill would specify the goals of the program, including ensuring local businesses remain in high-risk communities vulnerable to gentrification and displacement. The bill would establish the Antidisplacement Commercial Property Acquisition Revolving Loan Fund, and would authorize GO-Biz, upon appropriation by the Legislature to the fund for purposes of the program, to provide low-interest loans for purposes of the program. The bill would require GO-Biz to adopt regulations to administer the program, including qualifications that prioritize the preservation of Black-, indigenous-, people of color-, and women-owned businesses and the acquisition of commercial property in culturally significant commercial corridors. The bill would require GO-Biz to report to the Legislature on the progress of the program by January 1, 2030, or 5 years after the disbursement of the first loan by GO-Biz, whichever is later. The bill would make the program contingent upon appropriation by the Legislature in the annual Budget Act or another statute for its purposes.

AB 2796 Alvarez D (Dist. 80) Equitable Access to Zero-Emissions Vehicles Fund.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would establish the Equitable Access to Zero-Emission Vehicles Fund and would make moneys in the fund available, upon appropriation by the Legislature, for a new vehicle rebate program and for other specified purposes.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

The bill would require the State Air Resources Board, by July 1, 2025, to establish a program to offer rebates for the purchase of zero-emission vehicles and other specified vehicles from moneys made available from the fund. The bill would require the state board to submit a biennial report to the Legislature that includes certain information relating to the expenditures from the fund.

AB 2802 Maienschein D (Dist. 76) Transitional housing placement providers.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Community Care Facilities Act requires the State Department of Social Services to license and regulate transitional housing placement providers pursuant to the act. Under current law, a transitional housing placement provider is an organization licensed by the department to provide transitional housing to foster children at least 16 years of age and not more than 18 years of age and to nonminor dependents to promote their transition to adulthood. Current law requires a transitional housing unit to include, among other things, a host family certified by a transitional housing placement provider or other designated entity, as prescribed. Current law requires the department to adopt regulations governing transitional housing placement living arrangements requirements for minors and nonminor dependents, as prescribed. This bill would require those regulations to include allowing a minor or nonminor dependent participant to share a bedroom or unit in a transitional housing placement with a nonparticipant roommate, sibling, or coparent, as specified. The bill would also require the regulations to allow a minor or nonminor dependent with children to share their living arrangement with a coparent or participant sibling. The bill would require the regulations to require counties and program contracts to allow individual program participants and individuals sharing their living arrangements to share bedrooms, bathrooms, and units together, regardless of gender identity and would require county program contracts to allow providers and participants to make best matches to allow for gender flexibility.

AB 2803 Valencia D (Dist. 68) Campaign expenditures: criminal convictions: fees and costs.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Political Reform Act of 1974 deems all campaign contributions to be held in trust for expenses associated with seeking or holding office, and generally authorizes expenditures associated therewith if they are reasonably related to a political, legislative, or governmental purpose. Current law prohibits the use of campaign funds to pay or reimburse fines, penalties, judgments, or settlements, except as specified. Current law provides that the expenditure of campaign funds for attorney’s fees and other costs in connection with administrative, civil, or criminal litigation are not related to a political, legislative, or governmental purpose unless the litigation is directly related to activities of a committee that are consistent with its primary objectives or arises directly out of a candidate’s or elected officer’s activities, duties, or status as a candidate or elected officer, as specified. This bill would prohibit campaign funds from being used to reimburse expenditures for attorney’s fees and other costs in connection with criminal litigation if the litigation results in a conviction of the candidate or elected officer for a felony involving certain types of offenses as specified.

AB 2805 Essayli R (Dist. 63) Electricity: fixed charges: repeal.

Location: ASSEMBLY U. & E.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the Public Utilities Commission to adopt new, or expand existing, fixed charges, as defined, for the purpose of collecting a reasonable portion of the fixed costs of providing electrical service to residential customers. Current law requires the commission to continue a program of assistance to low-income electrical and gas customers with annual household incomes that are no greater than 200% of the federal poverty guidelines, as

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

specified, which is referred to as the California Alternative Rates for Energy (CARE) program. Under current law, the commission may authorize fixed charges for any rate schedule applicable to a residential customer account for the purpose described above and for the CARE program. Current law requires the commission, no later than July 2024, to authorize a fixed charge for default residential rates. Current law requires these fixed charges to be established on an income-graduated basis, with no fewer than 3 income thresholds, so that low-income ratepayers in each baseline territory would realize a lower average monthly bill without making any changes in usage. This bill would repeal the provisions described in the preceding paragraph.

AB 2809 Haney D (Dist. 17) Vehicles: automated speed enforcement.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Secretary of Transportation to develop guidelines for the implementation of a state highway work zone speed safety program using automated speed enforcement systems, as specified. The bill would authorize the Department of Transportation to establish a state highway work zone speed safety program in accordance with those guidelines. The bill would require the department, if a program is established, to prepare and submit a report to the Legislature, as specified. The bill would require any moneys generated from the issuance of the citations to be deposited in the Safe Highway Work Zone Account, created in the State Transportation Fund, and for the moneys to be allocated, upon appropriation by the Legislature, to the Department of Transportation for administration of the program. The provisions of the bill would become inoperative on July 1, 2030.

AB 2815 Petrie-Norris D (Dist. 73) Clean Transportation Program: electric vehicle charging stations.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the State Energy Resources Conservation and Development Commission, on or before January 1, 2026, to provide funding through a new or existing program under the Clean Transportation Program for repair or replacement of nonoperational electric vehicle charging stations that are at least 5 years old, that were installed before January 1, 2024, and that are located in a publicly available parking space, as provided. The bill would require the commission to allocate at least 50% of that funding to low-income communities and disadvantaged communities. The bill would repeal these provisions on January 1, 2036.

AB 2825 Boerner D (Dist. 77) Accessory dwelling units: inspections: housing purposes.

Location: ASSEMBLY H. & C.D.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law, authorizes a local agency, by ordinance, to provide for the creation of accessory dwelling units (ADUs) in areas zoned for residential use, as specified. Current law requires ministerial approval of ADUs, as specified, if the local agency does not adopt an ordinance governing ADUs. Under current law, a local agency is also required to ministerially approve an application for a building permit within a residential or mixed-use zone to create any of specified variations of ADUs. Current law also authorizes a local agency to provide for the creation of junior accessory dwelling units (JADUs) in single-family residential zones, as specified. This bill would authorize a local agency to adopt an ordinance that allows the local agency to inspect an ADU or JADU to ensure that the unit is used for dwelling purposes consistent with specified requirements.

AB 2826 Ta R (Dist. 70) Vehicles: temporary license plates.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Current law requires a dealer or lessor-retailer, when selling a vehicle, to attach a temporary license plate to a vehicle that does not already display a license plate issued by the Department of Motor Vehicles. This bill would require a dealer or lessor-retailer, when selling a vehicle, to attach for display a copy of a report-of-sale form to the vehicle before the vehicle is delivered to the purchaser only if the dealer does not attach a temporary license plate to the vehicle.

AB 2849 Rubio, Blanca D (Dist. 48) Beer manufacturers: sale of draught beer.

Location: ASSEMBLY CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law requires any on-sale retail licensee that gives, sells, or otherwise dispenses draught beer to include specified information about the beer upon the faucet, spigot, or outlet from which the beer is drawn or in the place of service and consumption, as provided. This bill would exempt from these labeling requirements premises operated under a beer manufacturer license.

AB 2853 Wicks D (Dist. 14) Department of Transportation.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. This bill would make nonsubstantive changes to that provision.

AB 2854 Irwin D (Dist. 42) Bradley-Burns Uniform Local Sales and Use Tax Law.

Location: ASSEMBLY APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require a local agency, as defined, to annually provide specified information relating to each agreement resulting in the direct or indirect payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to the California Department of Tax and Fee Administration. The bill would additionally require the local agency to publish that information on its internet website. The bill would impose monetary penalties on any local agency that fails to provide information to the department or fails to publish information to its internet website, as prescribed. By expanding the duties of local agencies, this bill would impose a state-mandated local program.

AB 2861 Wallis R (Dist. 47) Personal income tax: credit: gun safe.

Location: ASSEMBLY REV. & TAX SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2025, and before January 1, 2030, in an amount equal to the amount paid or incurred, not to exceed \$300, during the taxable year for the purchase of one gun safe, as defined, for use in a residential unit located in the state.

AB 2867 Gabriel D (Dist. 46) Recovery of artwork and personal property lost due to persecution.

Location: ASSEMBLY JUD.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law provides that in the case of a theft of any article of historical, interpretive, scientific, cultural, or artistic significance, a cause of action is not deemed to have accrued until the discovery of the whereabouts of the article by

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

the aggrieved party, the aggrieved party’s agent, or a law enforcement agency. Current law requires a civil action against a museum, gallery, auctioneer, or dealer for the recovery of works of fine art that were unlawfully taken or stolen, including a taking or theft by means of fraud or duress, to be commenced within 6 years of the actual discovery by the claimant or their agent of the identity and whereabouts of the work of fine art and information or facts that are sufficient to indicate that the claimant has a claim for a possessory interest in the work of fine art. Current federal law, the Holocaust Expropriated Art Recovery Act of 2016, establishes a statute of limitation for claims to recover artwork and other property, as defined, stolen or misappropriated by the Nazis between 1933 and 1945. This bill would provide that California substantive law shall apply in actions to recover fine art or an item of historical, interpretive, scientific, or artistic significance, including those covered by the Holocaust Expropriated Art Recovery Act of 2016, brought by a California resident or their heirs, as specified.

AB 2869 Friedman D (Dist. 44) Department of Transportation: trail access: infrastructure projects.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. This bill would require the department to mitigate the impact of infrastructure projects that interfere with or eliminate trail access to parks and recreational areas by maintaining safe access for users of existing trails or providing alternative safe access to those parks and recreational areas.

AB 2874 Soria D (Dist. 27) Planning and zoning: residential development.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would state the intent of the Legislature to enact legislation that would eliminate barriers to new residential development.

AB 2886 Aguiar-Curry D (Dist. 4) Gambling Control Act: injunctive relief.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Department of Justice to investigate any violations of, and to enforce, the Gambling Control Act. Current law prohibits a court from issuing a temporary injunction or other provisional order to restrain, stay, or otherwise interfere with any action by the department or the California Gambling Control Commission, except upon a finding by the court, based on clear and convincing evidence, that the public interest will not be prejudiced. Current law prohibits an order from being effective for more than 15 days and a preliminary order from being effective for more than 45 days, except by stipulation of the department or commission. This bill would extend the period an order may be effective to 21 days and extend the period a preliminary order may be effective to 60 days.

AB 2889 Zbur D (Dist. 51) Local public employee relations: the City of Los Angeles Employee Relations Board and the Los Angeles County Employee Relations Commission.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Public Employment Relations Board (PERB). Under current law, PERB has the power and duty to investigate an unfair practice charge and to determine whether the charge is justified and the appropriate remedy for the unfair practice. The Meyers-Miliias-Brown Act regulates the labor relations of employees and employers of local public agencies. The act requires that a complaint alleging any violation of the act or of any rules

and regulations adopted by a public agency pursuant to specified law be processed as an unfair practice charge with the Public Employees' Retirement Board (PERB). The act provides that the initial determination as to whether the charge of unfair practice is justified and, if so, the appropriate remedy necessary to effectuate the purposes of the act is a matter within the exclusive jurisdiction of PERB, except that in an action to recover damages due to an unlawful strike, PERB does not have authority to award strike-preparation expenses as damages and does not have authority to award damages for costs, expenses or revenue losses incurred during, or as a consequence of, an unlawful strike. Current law, notwithstanding PERB's authority, grants the employee relations commissions for the City of Los Angeles and the County of Los Angeles the power and responsibility to take actions on all unfair practices, as specified. This bill would prohibit, in an action to recover damages due to an unlawful strike, the City of Los Angeles Employee Relations Board and the Los Angeles County Employee Relations Commission from awarding strike-preparation expenses as damages and awarding damages for costs, expenses, or revenue losses incurred during, or as a consequence of, an unlawful strike.

AB 2891 Friedman D (Dist. 44) Energy: electrical demand forecasts.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Energy Commission, on or before December 1, 2026, and in consultation with the Public Utilities Commission, Independent System Operator, load-serving entities, and resource aggregators, to adopt a set of upfront technical requirements and load modification protocols, as defined, to provide the option for a load-serving entity to reduce or modify its electrical demand forecast upon aggregated system operation, as specified.

AB 2898 Carrillo, Wendy D (Dist. 52) Unbundled parking: exemptions: Housing Choice Vouchers.

Location: ASSEMBLY CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the owner of qualifying residential property, as defined, that provides parking with the qualifying residential property to unbundle parking from the price of rent, as specified. Current law defines "unbundled parking" as the practice of selling or leasing parking spaces separate from the lease of the residential use. Current federal law provides housing assistance to low-income individuals and households in the form of vouchers, commonly known as Housing Choice Vouchers. This bill would exempt any residential unit that is leased to a tenant who receives a federal Housing Choice Voucher, including a federal Veterans Affairs Supportive Housing voucher, from the above-described requirement to unbundle parking.

AB 2899 Gabriel D (Dist. 46) General acute care hospitals: licensed nurse-to-patient ratios.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Under current law, the State Department of Public Health adopted regulations that establish minimum, specific, and numerical licensed nurse-to-patient ratios by licensed nurse classification and by hospital unit within a general acute care hospital, among other health facilities. Current regulations require licensed nurse-to-patient ratios to represent the maximum number of patients assigned to one licensed nurse at any one time, and define "assigned" to mean the licensed nurse has responsibility for the provision of care to a particular patient within their scope of practice. This bill would require the department, when transmitting to a general acute care hospital the action to be taken on a substantiated violation of the regulation establishing licensed nurse-to-patient ratios, to simultaneously transmit the same information to the person who filed the claim of the violation and their collective bargaining agent or representative, if any. The bill would further require the department, if the action to be taken does not include a fine to simultaneously transmit a statement of the reasoning for not imposing a fine to the person who filed the claim of the violation and their collective bargaining agent or representative, if any.

AB 2903 Hoover R (Dist. 7) Homelessness.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires a state agency or department that administers one or more state homelessness programs, upon request of the California Interagency Council on Homelessness, to participate in council activities, as specified, and to provide to the council any relevant information regarding those state homelessness programs. This bill would require, commencing June 1, 2025, a state agency or department that administers one or more state homelessness programs to report annually to the council cost and outcome data for each program the agency or department administers, and would require the council to develop uniform data collection and reporting procedures for this purpose. The bill would require the council to compile the data reported by agencies and departments and, commencing September 1, 2025, annually make that data available to the public.

AB 2904 Quirk-Silva D (Dist. 67) Zoning ordinances: notice.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

This bill would instead require notice of the planning commission’s hearing on a proposed zoning ordinance or amendment to a zoning ordinance, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, to be published, posted, mailed, and delivered, or advertised, as applicable, at least 20 days before the hearing. This bill contains other related provisions and other existing laws.

AB 2909 Santiago D (Dist. 54) Historical property contracts: qualified historical property: adaptive reuse.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes an owner of any qualified historical property to contract with the legislative body of a city, county, or city and county to restrict the use of the property, as specified, in exchange for lowered assessment values. Current law defines “qualified historical property” as privately owned property that is not exempt from property taxation and is either listed in the National Register of Historic Places or located in a registered historic district, as defined, or listed in any state, city, county, or city and county official register of historical or architectural significant sites, places, or landmarks. Current law establishes the Infill Infrastructure Grant Program of 2019, which requires the Department of Housing and Community Development to establish and administer a grant program to fund capital improvement projects pursuant to specified requirements. Current law provides that capital improvement projects that may be funded under the grant program include, among other things, those related to adapted reuse, which means, when referring to building structures, retrofitting and repurposing of existing buildings that create new residential rental units, as specified. This bill, starting January 1, 2026, and until January 1, 2036, would additionally define as “qualified historical property” a privately owned property that is not exempt from property taxation that was constructed at least 30 years prior to the year a legislative body and property owner enter into a contract to restrict the use of the property, as specified, and that is located within the City of Los Angeles on a site that satisfies certain criteria, including, among others, being in a zone where office, retail, or parking are a principally permitted use.

AB 2910 Santiago D (Dist. 54) State Housing Law: local regulations: conversion of commercial or industrial buildings.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Building Standards Law establishes the California Building Standards Commission within the Department of General Services. Current law requires the commission to approve and adopt building standards and

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

to codify those standards in the California Building Standards Code, which is required to be published once every 10 years. The State Housing Law establishes statewide construction and occupancy standards for buildings used for human habitation. That law requires the building department of every city or county to enforce within its jurisdiction the provisions of the California Building Standards Code, the provisions of the State Housing Law, and specified other rules and regulations promulgated pursuant to that law. That law authorizes a city or county to adopt alternative building regulations for the conversion of commercial or industrial buildings to joint living and work quarters, as specified. This bill would additionally authorize a city to adopt alternative building regulations for the conversion of commercial buildings to residential uses, as specified.

AB 2911 McKinnor D (Dist. 61) Campaign contributions: agency officers.

Location: ASSEMBLY ELECTIONS

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$250 from any party, participant, or a party or participant’s agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. Current law permits an officer who violates this prohibition to cure the violation by returning the contribution, or portion of the contribution in excess of \$250, within 14 days of accepting, soliciting or directing the contribution, as specified. Current law also prohibits a party or party’s agent from making a contribution of more than \$250 to any officer of an agency while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered by the agency in that proceeding. This bill would raise the threshold for contributions regulated by these provisions to \$1,500, as specified.

AB 2912 Dixon R (Dist. 72) Energy: retail gasoline pricing.

Location: ASSEMBLY U. & E.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Division of Petroleum Market Oversight in the State Energy Resources Conservation and Development Commission to, among other duties, provide guidance and recommendations to the Governor and the commission on issues related to transportation fuel pricing and transportation decarbonization in California. This bill would require the commission to post and update, on a monthly basis, on its internet website the difference between retail gasoline prices in California and the national average and a calculation of how much that difference has decreased since June 26, 2023, which is the effective date of the above-described provisions, due to the action taken pursuant to those provisions.

AB 2919 Papan D (Dist. 21) State Housing Law.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Existing law, the State Housing Law, generally provides for the regulation of buildings used for human habitation. The law makes its provisions inapplicable to any building regulated by the Manufactured Housing Act of 1980, the Mobilehome Parks Act, and the California Factory-Built Housing Law unless those acts specifically require application. This bill would make nonsubstantive changes to the latter provision.

AB 2921 Gabriel D (Dist. 46) Planning and zoning.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law makes various legislative findings and declarations, including that the state has a positive interest in the preparation and maintenance of a long-term, general plan for the physical development of each of the state’s urban areas and that the planning activities of counties and cities can be strengthened and more effectively performed when conducted in relation to studies and planning of an urban regional character. This bill would make nonsubstantive changes to those provisions.

AB 2926 Kalra D (Dist. 25) Planning and zoning: assisted housing developments: notice of expiration of affordability restrictions.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires an owner of an assisted housing development proposing the termination of a subsidy contract or prepayment of governmental assistance or of an assisted housing development in which there will be the expiration of rental restrictions to provide a notice of the proposed change to each affected tenant household residing in the assisted housing development, as specified. The Planning and Zoning Law defines “assisted housing development” for these purposes to mean a multifamily rental housing development of 5 or more units that receives governmental assistance under any of specified programs, including assistance provided by counties or cities under specified law in exchange for restrictions on the maximum rents, as specified, and on the maximum tenant income, as specified. The Planning and Zoning law defines a “termination” for these purposes to mean an owner’s decision to extend or renew its participation in a federal, state, or local government subsidy program or private, nongovernmental subsidy program for an assisted housing development, as specified. The Planning and Zoning Law defines the “expiration of rental restrictions” for these purposes to mean the expiration of rental restrictions for an assisted housing development, as specified, unless the development has other recorded agreements restricting the rent to the same or lesser levels for at least 50% of the units. This bill would instead impose the above-described notice requirement on an owner prior to the anticipated date of termination of a subsidy contract or expiration of rental restrictions or prepayment on an assisted housing development, as specified. The bill would expand the definition of “assisted housing development” to include a development that receives assistance from counties or cities in exchange for affordability restrictions, as described above, pursuant to the Middle Class Housing Act of 2022; streamlining assistance pursuant to the Affordable Housing and High Road Jobs Act of 2022; specified law providing a streamlined, ministerial approval process for certain housing developments; or the Affordable Housing on Faith and Higher Education Lands Act of 2023.

AB 2928 Flora R (Dist. 9) Budget Act of 2022.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Budget Act of 2022 made appropriations for the support of state government for the 2022–23 fiscal years. This bill would amend the Budget Act of 2022 by amending an item of appropriation relating to the Lockeford Community Services District.

AB 2937 Wicks D (Dist. 14) California Environmental Quality Act: streamlined environmental reviews.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

for a project that may have a significant effect on the environment if revisions in the project would avoid or that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes certain processes, such as the preparation of a master EIR or a focused EIR, to streamline the environmental review of projects. CEQA states the intentions of the Legislature in enacting those streamlined environmental review processes. This bill would make nonsubstantive changes to those statements of intent.

AB 2940 Muratsuchi D (Dist. 66) California Environmental Quality Act: environmental leadership development projects: transmission projects.

Location: ASSEMBLY NAT. RES.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 (the act) authorizes the Governor, until January 1, 2032, to certify environmental leadership development projects that meet specified requirements for certain streamlining benefits related to CEQA. The act requires the lead agency for an environmental leadership development project certified by the Governor to prepare the record of proceedings under CEQA concurrently with the administrative process. This bill would make transmission projects that bring new renewable energy generation onto the grid to be environmental leadership development projects for purposes of the act. Because the lead agency for those transmission projects would be required to prepare concurrently the record of proceedings, this bill would impose a state-mandated local program.

AB 2945 Alvarez D (Dist. 80) Reconnecting Communities Redevelopment Act.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Constitution, with respect to any taxes levied on taxable property in a redevelopment project established under the Community Redevelopment Law, as it then read or may be amended, authorizes the Legislature to provide for the division of those taxes under a redevelopment plan between the taxing agencies and the redevelopment agency, as provided. Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Reconnecting Communities Redevelopment Act, would authorize a city or county, or two or more cities acting jointly, to propose the formation of a reconnecting communities investment agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined. The bill would require the city or county to submit that resolution to each affected taxing entity and would authorize an entity that receives that resolution to elect to not receive a passthrough payment, as provided. The bill would require the city or county that adopted that resolution to hold a public hearing on the proposal to consider all written and oral objections to the formation, as well as any recommendations of the affected taxing entities, and would authorize that city or county to adopt a resolution of formation at the conclusion of that hearing.

AB 2951 Cervantes D (Dist. 58) Elections: request for recount: notice.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes any voter, after the completion of the official canvass for a statewide election, to file with the Secretary of State a written request for a vote recount, as specified. Current law requires the Secretary of State to

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

send a copy of the written request by registered mail to each affected county elections official, as specified. would instead require the Secretary of State to send a copy of the written request to the elections official by electronic delivery. The bill would require the elections official to provide written confirmation of delivery to the Secretary of State.

AB 2952 Addis D (Dist. 30) Public employees: retraining and rehabilitation.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires every public agency, its insurance carrier, and the Department of Rehabilitation to jointly formulate procedures for the selection and referral of injured full-time public employees who may be benefited by rehabilitation services and retrained for other positions in public service. This bill would make nonsubstantive changes to those provisions.

AB 2955 Quirk-Silva D (Dist. 67) Affordable housing.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Affordable Housing and High Road Jobs Act of 2022, until January 1, 2033, establishes a streamlined development process for affordable housing developments that meet specified objective standards and affordability and site criteria. This bill would make a nonsubstantive change to those provisions.

AB 3055 Bonta D (Dist. 18) Survivors of human trafficking: identification cards.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the Department of Motor Vehicles to issue an identification card to an applicant who provides specified information to the department and pays a specified fee. Current law provides assisted processes for persons being released from a federal or state prison or a state hospital to obtain an identification card. Current law additionally waives the fee for senior citizens and indigent persons. This bill would require the department to develop an assisted and expedited process for survivors of human trafficking to obtain a new or replacement identification card. The bill would require the department to develop an application form that can be filled out by specified persons on behalf of the applicant. The bill would require the department to waive the fee for an applicant applying pursuant to this process. The bill would also require the California Victim Compensation Board to post specified information, including information about obtaining an identification card using this process, on its internet website.

AB 3123 Jones-Sawyer D (Dist. 57) Los Angeles County Metropolitan Transportation Authority: board code of conduct: lobbying rules.

Location: ASSEMBLY APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the Los Angeles County Metropolitan Transportation Authority (MTA), governed by a 14-member board, with specified powers and duties relative to transportation planning, programming, and operations in the County of Los Angeles. Current law prescribes a code of conduct for the board of MTA, which includes, among other things, rules pertaining to gifts and financial conflicts of interest. As part of the provisions establishing this code of conduct, current law requires the board of MTA to appoint an ethics officer who reports to the board. Current law also requires MTA to appoint an inspector general and requires the code of conduct to be enforced by the inspector general. This bill would revise and recast the code of conduct by, among other things, specifying that

board members are subject to all ethics laws applicable to other public officials and by eliminating specific the code of conduct including, among others, certain rules pertaining to gifts and financial conflicts of interest. The bill would also provide that the code of conduct is in addition to any rules or codes adopted by the board.

AB 3177 Carrillo, Wendy D (Dist. 52) Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.

Location: ASSEMBLY L. GOV.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Mitigation Fee Act imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Current law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics including that the housing development is located within 1/2 mile of a transit station. Current law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation.

AB 3214 Fong, Mike D (Dist. 49) Public transit: advertising.

Location: ASSEMBLY TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates various transit districts with specified powers and duties related to providing public transit services. This bill would require the state, to the extent feasible, to prioritize using advertising space offered by a public transit operator over other advertising space for a public awareness campaign, as specified.

ABX1 2 Fong, Vince R (Dist. 32) Motor Vehicle Fuel Tax Law: suspension of tax.

Location: ASSEMBLY PRINT

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would suspend the imposition of the tax on motor vehicle fuels for one year. The bill would require that all savings realized based on the suspension of the motor vehicle fuels tax by a person other than an end consumer, as defined, be passed on to the end consumer, and would make the violation of this requirement an unfair business practice, in violation of unfair competition laws, as provided. The bill would require a seller of motor vehicle fuels to provide a receipt to a purchaser that indicates the amount of tax that would have otherwise applied to the transaction.

SB 7 Blakespear D (Dist. 38) Planning and zoning: annual report: housing for extremely low income households.

Location: ASSEMBLY DESK

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, building permit, or certificate of occupancy, and the income category, by area median income, that each unit of housing satisfies, as specified. This bill would revise and recast these provisions to specify that the income category includes extremely low income households, as defined.

Location: ASSEMBLY DESK

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, until January 1, 2030, exempts from the California Environmental Quality Act (CEQA) a university housing development project carried out by a public university on real property owned by the public university if the project meets certain requirements, including that each building within the project is certified as Leadership in Energy and Environmental Design (LEED) Platinum or better by the United States Green Building Council. Current law requires the lead agency, if the university housing development project is exempt from CEQA under the above provision, to file the LEED certificate for buildings within the project and a notice determining that the construction impacts of the project have been fully mitigated with the Office of Planning and Research and the county clerk of the county in which the project is located. Current law requires a public university or a relevant public agency with authority to issue a certificate of occupancy for a building within the project to not issue the certificate of occupancy for the building unless the lead agency receives certification of LEED Platinum or better from the United States Green Building Council for the building and the lead agency determines that the construction impacts of the project have been fully mitigated. This bill would instead require a public university to obtain LEED Platinum certification for each building within a university housing development project no later than 12 months from the issuance of the building's certificate of occupancy or its usage. The bill would prohibit a public university that has exempted a university housing development project from being eligible to exempt a subsequent university housing development project until the public university has obtained LEED Platinum certification for each building within the prior exempted university housing development project.

SB 517 Gonzalez D (Dist. 33) Economic development: movement of freight.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House								

Current law authorizes GO-Biz to undertake various activities relating to economic development, including the provision of prescribed information. Current law requires the Transportation Agency to prepare a state freight plan that provides a comprehensive plan to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. This bill would authorize GO-Biz to serve as the coordinating entity to steer the growth, competitiveness, and sustainability for freight and the supply chain across the state and to promote and assess the continued economic vitality, economic competitiveness, and sustainability of the freight sector. The bill would also authorize GO-Biz to provide freight and supply chain economic competitiveness information.

SB 537 Becker D (Dist. 13) Open meetings: multijurisdictional, cross-county agencies: teleconferences.

Location: ASSEMBLY INACTIVE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

met, including restrictions on remote participation by a member of the legislative body. These circumstances if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

SB 638 Eggman D (Dist. 5) Climate Resiliency and Flood Protection Bond Act of 2024.

Location: ASSEMBLY W.,P. & W.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

SB 672 McGuire D (Dist. 2) Residential property insurance.

Location: ASSEMBLY 2 YEAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law generally regulates classes of insurance, including residential property insurance. Current law prohibits residential property insurance policy from being issued or renewed in this state unless it complies with certain requirements. This bill would prohibit an admitted insurer that offers residential property insurance from refusing to offer or sell residential property insurance to an applicant whose property meets specified best practices for wildfire building hardening and property-level mitigation.

SB 768 Caballero D (Dist. 14) California Environmental Quality Act: State Air Resources Board: vehicle miles traveled: study.

Location: ASSEMBLY DESK

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law requires the Office of Planning and Research to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Current law creates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles, which is the major source of air pollution in many areas of the state. Existing law authorizes the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board. This bill would require the state board, by January 1, 2026, to conduct and submit to the Legislature a study on how vehicle miles traveled is used as a metric for measuring transportation impacts pursuant to CEQA, as specified.

SB 908 Cortese D (Dist. 15) Fentanyl: child deaths.

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Location: SENATE HEALTH

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the State Department of Public Health to implement and administer various programs relating to public health. The department administers the California Overdose Surveillance Dashboard that provides data on state- and local-level drug-related overdose outcomes for California, including, among other data, the number of deaths related to fentanyl overdoses. Current law requires the department to update the dashboard to reflect additional information, as specified. This bill would require the department to utilize its data to monitor and identify current trends of fentanyl-related deaths of children 0 to 5 years of age, inclusive. The bill would require the department to develop guidance and spread awareness of the trends to protect and prevent children from fentanyl exposure.

SB 915 Cortese D (Dist. 15) Local government: autonomous vehicles.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law provides for the local regulation of certain types of transportation services, including taxicab companies. Current law requires each city or county in which a taxicab company is substantially located to adopt an ordinance or resolution in regards to taxicab transportation service, that includes provisions for a permitting program for taxicab drivers. Under current law, it is unlawful to operate a taxicab company without a valid permit to operate issued by each city or county in which the taxicab company is substantially located. This bill would authorize each city, county, or city and county in which an autonomous vehicle has received authorization by the Department of Motor Vehicles, the Public Utilities Commission, or any other applicable state agency to operate, to protect the public health, safety, and welfare by enacting an ordinance in regard to autonomous vehicle services within that jurisdiction. The bill would require each city, county, or city and county that enacts an ordinance to include certain provisions within that ordinance. These would include a policy for entry into the business of providing autonomous vehicle services including a permitting program that includes, among other things, the establishment of reasonable vehicle caps and hours of service restrictions. This bill contains other related provisions and other existing laws.

SB 925 Wiener D (Dist. 11) Legislative review of state agency action.

Location: SENATE CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires a state agency, as specified, to notify the Joint Legislative Budget Committee not less than 60 days prior to the effective date on which the state agency will establish or change a federal aid allocation formula to a local agency. If the chairperson of the committee informs committee members of the chairperson’s intention to waive the 60-day notification period, current law permits the chairperson to grant a waiver of that notification period after receipt of the notification if an objection is not received within 10 days. Current law requires, upon the request of the chairperson or any member of the committee, the committee to schedule a hearing on the proposed allocation formula to be established or changed. This bill would reduce the objection period before granting a waiver to 9 days.

SB 926 Wahab D (Dist. 10) Crimes: distribution of intimate images.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would make it a crime for a person to intentionally distribute or cause to be distributed any photo realistic image, digital image, electronic image, computer image, computer-generated image, or other pictorial representation of an

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

intimate body part or parts of another identifiable person, or an image of the person depicted engaged in a sexual intercourse, sodomy, oral copulation, sexual penetration, or an image of masturbation by the person depicted or in which the person depicted participates that was created in a manner that would cause a reasonable person to believe the image is an authentic image of the person depicted, under circumstances in which the person distributing the image knows or should know that distribution of the image will cause serious emotional distress, and the person depicted suffers that distress. By expanding the scope of a crime, this bill would impose a state-mandated local program.

SB 936 Seyarto R (Dist. 32) Office of Planning and Research: study: road safety projects.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Office of Planning and Research (OPR) in the Governor’s office for the purpose of serving the Governor and the Governor’s cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. The California Environmental Quality Act (CEQA) requires OPR to prepare and develop proposed guidelines for the implementation of CEQA by public agencies. This bill would require OPR in coordination with the Department of Transportation, to conduct a study to identify (1) the top 15 locations in the state highway system with the highest rate of vehicle collisions during each calendar year within a range of calendar years selected by OPR for purposes of the study, and (2) projects that could improve road safety at each of those locations.

SB 947 Seyarto R (Dist. 32) Department of Transportation: state highway projects: agreements with public entities: project design changes.

Location: SENATE TRANS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Department of Transportation, in an agreement with a city, county, or other public entity for the contribution of funds for the acquisition, construction, or improvement of any portion of state highway, to include a provision that makes the department responsible for any additional costs associated with a new project design adopted by the department after the project is included in the state transportation improvement program or the state highway operation and protection program, as specified. The bill would also make this provision applicable to agreements in effect as of January 1, 2025.

SB 955 Seyarto R (Dist. 32) Office of Planning and Research: Infrastructure Gap-Fund Program.

Location: SENATE APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Would require the Office of Planning and Research, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project’s total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project’s total cost. The bill would require the office to develop guidelines to implement the program that establish the criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027.

SB 960 Wiener D (Dist. 11) Transportation: planning: complete streets facilities: transit priority projects.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Current law requires the Department of Transportation to improve and maintain the state’s highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would require all transportation projects funded or overseen by the department to provide complete streets facilities, except as specified.

SB 1031 Wiener D (Dist. 11) San Francisco Bay area: local revenue measure: transportation improvements.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Current law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, in accordance with applicable constitutional requirements.

SB 1068 Eggman D (Dist. 5) Tri-Valley-San Joaquin Valley Regional Rail Authority: contracting: Constructor Manager/General Contractor project delivery method.

Location: SENATE CONSENT CALENDAR

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law establishes the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning, developing, delivering, and operating cost-effective and responsive transit connectivity, between the Bay Area Rapid Transit District’s rapid transit system and the Altamont Corridor Express commuter rail service. Current law gives the authority all of the powers necessary for planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using, disposing of, designing, procuring, and constructing facilities to achieve transit connectivity, including, among other powers, the power to contract with public and private entities for the planning, design, and construction of the connection. Current law authorizes these contracts to be assigned separately or combined to include any or all tasks necessary to achieve transit connectivity. This bill would authorize the Tri-Valley-San Joaquin Valley Regional Rail Authority to use the Construction Manager/General Contractor project delivery method when contracting for the planning, design, and construction of the connection. The bill would additionally authorize the contracts of the authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor.

SB 1086 Seyarto R (Dist. 32) Sales and Use Tax Law: motor vehicle fuel tax: sales price: gross receipts.

Location: SENATE REV. & TAX

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Motor Vehicle Fuel Tax Law, administered by the California Department of Tax and Fee Administration, imposes a tax upon each gallon of motor vehicle fuel removed from a refinery or terminal rack in this state, entered into this state, or sold in this state, at a specified rate per gallon. Current sales and use tax laws provide a partial exemption from the taxes imposed by those laws for motor vehicle fuel that is subject to the taxes imposed by the Motor Vehicle Fuel Tax Law. This bill, beginning January 1, 2025, would exclude from the terms “gross receipts” and “sales price” under the Sales and Use Tax Law the amount of any motor vehicle fuel tax imposed pursuant to the Motor Vehicle Fuel Tax Law.

SB 1098 Blakespear D (Dist. 38) Passenger and freight rail: LOSSAN Rail Corridor.

Location: SENATE APPR. SUSPENSE FILE

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Current law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide guidance and recommendations to and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, the California Transportation Commission, the Secretary for Environmental Protection, and the Secretary of the Natural Resources Agency, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information.

SB 1325 Durazo D (Dist. 26) Public contracts: best value procurement: goods.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law imposes requirements on, and authorizes procedures for, public contracting for equipment and services among other things, by local and state agencies. Current law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a public entity, as defined, to award contracts through a best value procurement method, as described, for the purchase of goods with a base value of \$250,000 or more. The bill would require the public entity to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the public entity to use a scoring method based on price and the factors described in the solicitation document, as specified.

SB 1393 Niello R (Dist. 6) Advanced Clean Fleets Regulation Appeals Advisory Committee.

Location: SENATE E.Q.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and require recordings of its meetings to be made publicly available on the state board’s internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee’s consideration of an appeal to be made publicly available on the state board’s internet website.

SB 1402 Min D (Dist. 37) 30x30 goal: state agencies: adoption, revision, or establishment of plans, policies and regulations.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of California’s lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of California’s lands and coastal waters by 2030, known as the 30x30 goal. This bill would require all state agencies, departments, boards, offices, commissions, and conservancies to consider the 30x30 goal when adopting, revising, or establishing plans, policies, and regulations that directly affect land use, management of natural resources, water use and quality, or biodiversity conservation.

SB 1418 Archuleta D (Dist. 30) Hydrogen-fueling stations: expedited review.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law authorizes a city, county, or city and county developing an ordinance to refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist,” as specified. Current law requires a city, county, and city and county, in developing the expedited permitting process, to adopt a checklist of all requirements with which electric vehicle charging stations must comply to be eligible for expedited review. For these purposes, existing law defines “hydrogen-fueling station” to mean the equipment used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that is open to the public. Current law requires a hydrogen-fueling station to meet certain requirements, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures. This bill would modify the definition of “hydrogen-fueling station” to mean the equipment and structural design components necessary to ensure the safety of the fueling station, including hydrogen-refueling canopies, that are used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that are open to the public. This bill would modify the requirements a hydrogen-fueling station must meet to include all applicable state laws and regulations pertaining to hydrogen fueling, including any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures.

SB 1420 Caballero D (Dist. 14) Hydrogen.

Location: SENATE APPR.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires the State Air Resources Board to adopt hydrogen fuel regulations that ensure state funding for the production and use of hydrogen fuel contributes to the reduction of the emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants, and ensure the production and direct use of hydrogen fuel in motor vehicles also contributes to a reduced dependence on petroleum, as provided. This bill would require the state board to adopt regulations requiring that no less than 33.3% of the retail hydrogen produced for, or dispensed by, fueling stations that receive state funds is made from renewable hydrogen, as provided.

Location: SENATE REV. & TAX

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose a local sales and use tax in accordance with that law for tangible personal property sold at retail in the city or county, or purchased for storage, use, or other consumption in the city or county. This bill would prohibit, on or after January 1, 2024, a local agency from entering into, renewing, or extending any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any retailer, as defined, in exchange for the retailer locating or continuing to maintain a place of business that serves as the place of sale, as defined, within the territorial jurisdiction of the local agency if that place of business would generate revenue from the sale of tangible property delivered to and received by the purchaser in the territorial jurisdiction of another local agency, for the local agency under the Bradley-Burns Uniform Local Sales and Use Tax Law. The bill would make those forms of agreements existing before January 1, 2024, void and unenforceable on January 1, 2030. The bill would require a local agency to post those forms of agreements existing before January 1, 2024, on the local agency's internet website until the form of agreement expires or is made void and unenforceable by these provisions. The bill would make related findings and declarations.

SB 1510 Stern D (Dist. 27) Permitting: electric vehicle charging.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Current law requires every city, county, and city and county to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit and requires the review of an application to install an electric vehicle charging station to be limited to the building official review of whether it meets all health and safety requirements of local, state, and federal law. Current law requires an electric vehicle charging station to comply with, among other things, all applicable rules of the Public Utilities Commission regarding safety and reliability, as specified. This bill would express the intent of the Legislature to enact subsequent legislation that would reduce state and local permitting barriers for electric vehicle charging.

SBX1 1 Jones R (Dist. 40) Motor vehicle fuel tax: greenhouse gas reduction programs: suspension.

Location: SENATE RLS.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the statewide greenhouse gas emissions are reduced to at least 40% below the statewide greenhouse gas emissions limit, as defined, no later than December 31, 2030. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. This bill would suspend the Low Carbon Fuel Standard regulations for one year. The bill would also exempt suppliers of transportation fuels from regulations for the use of market-based compliance mechanisms for one year.

Total Measures: 165

Total Tracking Forms: 165

Attachment: Bill Report May 2024 (10063 : State Legislative Update)

Minute Action

AGENDA ITEM: 3

Date: May 8, 2024

Subject:

Federal Legislative Update

Recommendation:

Receive the May 2024 Federal Legislative Update and provide direction as appropriate.

Background:

Fiscal Year 2025 (FY25) Budget

The House and Senate began holding budget hearings to discuss President Biden’s (President) FY25 budget request, which is the first step in the FY25 appropriations and budget process. During these hearings, Administration officials answered questions from Members about the President’s priority programs and local projects important to Members.

On April 9, 2024, the Republican Steering Committee appointed House Appropriations Committee Vice Chairman Tom Cole to succeed Congresswoman Kay Granger as Chairman after she stepped down in March 2024. Chairman Cole resigned as Chairman of the House Rules Committee to accept this assignment. Chairman Cole also vacated the Chairmanship of the Transportation Housing and Urban Development (THUD) Subcommittee. The new THUD Committee Chair is Representative Steve Womack who was previously serving as the Appropriations Subcommittee Chair for Financial Services.

On April 11, 2024, the new Appropriations Committee Vice Chairman Tom Cole released FY25 Member Request Guidance for programmatic requests only. Individual Members may now submit requests to increase or decrease funding to accounts, agencies, or programs that have already been authorized by law. It is unusual for the Appropriations Committee, even under Republican control, to highlight limited spending availability, and this notice may indicate another tight year in the appropriations process. Chairman Cole also indicated that Republican appropriators are weighing changes to the chamber’s earmarking process to limit the number of “political” project requests that could likely include blocking nonprofits from receiving earmarks under the Department of Housing and Urban Development’s Economic Development Initiative Grant Program as well as expanding accounts in the Labor-Health & Human Services-Education Appropriations bill. With the upcoming 2024 election, the delay in finishing the FY24 process, and the onboarding of Chairman Tom Cole, it is widely anticipated that the FY25 appropriations process will not be completed before the end of September and could stretch well into the November lame-duck session or longer.

Committee Hearings

Transportation and Infrastructure Committee (Committee) Chairman Sam Graves held a full Committee markup to approve an update to the roster reflecting the addition of Representative Kevin Kiley to the Committee. The markup was held on Tuesday, April 16, 2024. Representative Kiley’s district, California’s 3rd Congressional District, is the most geographically diverse in California, spanning most of the California-Nevada border and includes Plumas, Sierra, *Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority*

Legislative Policy Committee Agenda Item

May 8, 2024

Page 2

Nevada, Placer, Alpine, Mono, and Inyo, and parts of Yuba, El Dorado, and Sacramento counties.

On April 17, 2024, the Railroads, Pipelines, and Hazardous Materials Subcommittee Chairman Troy Nehls held a subcommittee hearing to examine the challenges facing the commuter rail industry. The Subcommittee explored the obstacles facing commuter rail providers and opportunities to address issues through legislation. Witness List included the following:

Mr. Darren Kettle, Chief Executive Officer, Metrolink

Mr. Mike Noland, President, Northern Indiana Commuter Transportation District

Ms. Debra Johnson, General Manager and Chief Executive Officer, RTD-Denver

Mr. David W. Dech, Executive Director, South Florida Regional Transportation Authority / Tri-Rail

Mr. Kevin Corbett, President and Chief Executive Officer, New Jersey Transit on behalf of the Northeast Corridor Commission

Brightline West

On April 22, 2024, U.S. Transportation Secretary Pete Buttigieg, along with San Bernardino County Representatives Pete Aguilar and Norma Torres, attended a groundbreaking ceremony in Las Vegas, Nevada for Brightline West's high-speed rail project. Buttigieg reiterated the Biden administration's support for the project that he said will bring thousands of union jobs, boost local economies, and cut traffic and air pollution. Brightline West plans to lay 218 miles of new track in the median of Interstate 15 between Las Vegas and Rancho Cucamonga.

In-Use Locomotive Regulation

House Transportation and Infrastructure Committee Chairman Sam Graves and Representative Troy Nehls, Chairman of the Railroads, Pipelines, and Hazardous Materials Subcommittee, and 31 additional House Republicans sent a letter urging the Environmental Protection Agency (EPA) to deny California Air Resource Board's (CARB) authorization request to establish new emissions standards, procedures, financial assessments, and reporting requirements on railroad operations through its In-Use Locomotive Regulation.

Under the Clean Air Act, EPA must approve CARB's petition. In the letter to EPA Administrator Michael Regan, the Republican House Members commented on the significant damage the potential CARB rule would do to interstate commerce and supply chains, the illegal nature of the proposal, and its departure from long-established historical norms and precedents. These House Republicans are among a growing list of organizations representing rail, agriculture growers and shippers, local governments, manufacturers, other U.S. businesses, and labor unions that oppose the rule.

A similar letter opposing CARB's action and request was also sent on April 16, 2024, from 11 Senate Republicans and Democrat Senator Joe Manchin.

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Copies of the House and Senate letters to EPA can be found in Attachments A and B.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024.

Reviewed By:

This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Louis Vidaure, Legislative Analyst

Approved
Legislative Policy Committee
Date: May 8, 2024
Witnessed By:

ATTACHMENT A



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chairman

Jack Ruddy, Staff Director

Rick Larsen
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

April 22, 2024

The Honorable Michael S. Regan
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re.: Docket EPA-HQ-OAR-2023-0574-0001, California State Nonroad Engine Pollution Control Standards; In-Use Locomotive Regulation; Requests for Authorization

Dear Administrator Regan:

We write to express strong opposition to the California Air Resource Board's (CARB's) authorization request to the United States Environmental Protection Agency (EPA) to establish new emissions standards, procedures, financial assessments and reporting requirements on railroad operations through its In-Use Locomotive Regulation ("CARB Rule" or "Rule").¹ We request that the EPA deny CARB's request due to its departure from historical norms and unworkability as is detailed below.

The Committee on Transportation and Infrastructure (T&I or Committee) exercises authorization and oversight authorities of the United States freight and passenger transportation systems.² As discussed below, through various authorization acts, the Committee seeks to establish policies and programs that improve the safe and efficient movement of interstate freight and passenger transportation.³

¹ Letter from Steven S. Cliff, Ph.D., Executive Officer, California Resource Board to Michael S. Regan, Administrator, United States Environmental Protection Agency (Nov. 7, 2023) available at <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/authorization.pdf>.

² See RULES OF THE HOUSE OF REPRESENTATIVES, 118th Cong., Rule X, clause 1 (r); see also UNITED STATES HOUSE OF REPRESENTATIVES COMM. ON TRANSP. AND INFRASTRUCTURE, *History*, available at <https://transportation.house.gov/about/history.htm> [hereinafter *History*].

³ See e.g. *Interstate Commerce Commission Termination Act of 1995*, Pub. L. No. 104-88, 109 Stat. 803; *The Locomotive Inspection Act*, Pub. L. No. 103-272, 108 Stat. 885; *The Staggers Rail Act of 1980*, Pub. L. No. 96-448, 94 Stat. 1895; see also *History*, *supra* note 2.

The Honorable Michael S. Regan
 April 22, 2024
 Page 2 of 12

Policies implemented by agencies outside the legislative jurisdiction of the Committee that may directly or indirectly affect interstate transportation are of interest to the Committee, particularly if those policies impact agencies under the Committee’s jurisdiction. These include the Surface Transportation Board, the Federal Railroad Administration, and Amtrak.⁴

The CARB Rule is an example of a regulation that directly conflicts with existing statutory policies within the purview of the Committee. Accordingly, EPA must reject CARB’s petition.

Freight Rail Transportation, Interstate Commerce, and the Committee on Transportation and Infrastructure

Running almost 140,000 route miles, the nearly \$80-billion National freight industry is not only considered the largest, safest, and most cost-efficient freight system in the world, it offers significant ancillary benefits, including reduced fuel consumption, and lower greenhouse gas emissions when compared to other modes of transportation.⁵ It is also the source of a significant number of domestic jobs.⁶ Each year, freight rail companies invest an average of \$23 billion in their networks.⁷

The United States railroad transportation system is inextricably linked and vital to the safe and efficient transportation of freight and passengers in interstate commerce.⁸ In fact, the first industry to be regulated under the *Interstate Commerce Act* (P.L. 49-104) was the railroad industry.⁹ The system is networked in such a manner that disruptions or challenges along any segment of the network often ripple throughout the network and across interstate transportation modes.¹⁰ In other words, rail transportation is by design and operation interstate in nature and is preempted from most state or local laws and regulations. Activities along one segment have implications for freight and passenger transportation service in multiple states. For these reasons Congress has applied the principle of Federal preemption of state or local government policies affecting railroads.¹¹

⁴ RULES OF THE HOUSE OF REPRESENTATIVES, 118th Cong., Rule X, clause 1 (r).

⁵ UNITED STATES DEP’T OF TRANSP., FEDERAL RAIL ADMINISTRATION, *The Freight Rail Network*, available at <https://railroads.dot.gov/rail-network-development/freight-rail-overview>.

⁶ *Id.*

⁷ ASSOCIATION OF AMERICAN RAILROADS, *Investments Fact Sheet*, available at [AAR-Investments-Fact-Sheet.pdf](https://www.aar.org/Investments-Fact-Sheet.pdf).

⁸ Steven G. Bradbury, *California’s Attempt to Dictate Locomotive Technology for National Rail System Unlawfully Conflicts with Federal Law*, WASHINGTON LEGAL FOUNDATION, (Sept. 8, 2023), available at <https://www.wlf.org/2023/09/07/publishing/californias-attempt-to-dictate-locomotive-technology-for-our-national-rail-system-unlawfully-conflicts-with-federal-law/#:~:text=The%20central%20provision%20in%20the,of%20the%20locomotive%27s%20original%20engine> [hereinafter “Bradbury”].

⁹ See *The Interstate Commerce Act of 1887*, Pub. L. No. 49–104 (1887); see also NAT’L ARCHIVES, *The Interstate Commerce Act (1887)*, available at <https://www.archives.gov/milestone-documents/interstate-commerce-act>.

¹⁰ Bradbury, *supra* note 7.

¹¹ *ICCTA of 1995*, H. REPT. NO. 104-311 (1995), at 96.

The Honorable Michael S. Regan
 April 22, 2024
 Page 3 of 12

This principle is most clearly spelled out in the *Interstate Commerce Commission Termination Act (ICCTA) of 1995* (P.L. 104-88) that discussed the elimination of residual state powers of the regulation of railroads.¹² Congress wrote: “Any other construction would undermine the uniformity of Federal standards and risk the balkanization and subversion of the Federal scheme of minimal regulation for this *intrinsically* (emphasis added) interstate form of transportation.”¹³ Congress also clearly stated: “Subjecting rail carriers to regulatory requirements that vary among the States would greatly undermine the industry’s ability to provide the ‘*seamless*’ service (emphasis added) that is essential to its shippers and *would waken the industry’s efficiency and competitive viability* (emphasis added).”¹⁴

As courts have previously observed when evaluating cases of Federal preemption of state laws and regulation and the authority granted to the Surface Transportation Board (STB) under the *Interstate Commerce Act*: “it is difficult to imagine a broader statement of Congress’s intent to preempt state regulatory authority over railroad operations.”¹⁵ Nevertheless, CARB ignores both clear statutory text and court concurrence in seeking to establish a rule that unreasonably burdens and interferes with rail transportation, and EPA would only further this should it grant the request for authorization.

A basic understanding of railroad networks helps explain Congress’ thinking. For example, two Class I carriers operate in California: Union Pacific (UP) and BNSF.¹⁶ The line haul operations of these railroads are not confined to California but are part of a much larger multistate freight rail transportation network that stretches east of the Mississippi River, though these networks differ slightly to serve other customers.¹⁷

UP and BNSF are part of a vast, intricate transportation supply chain that feeds to and receives from freight and passengers across the entire rail, highway, water, and aviation networks. Due to interchange, shipments from UP and BNSF may also be transported along other Class I, Class II and Class III networks. Allowing individual states or localities to create regulatory patchworks undermines the safety and efficiency of interstate supply chains.

Even smaller Class II and III freight rail carriers that may only operate within a state’s boundaries are important to the overall efficiency of the interstate freight rail system. Short Line

¹² *ICCTA of 1995*, Pub. L. No. 104-88, 109 Stat. 803.

¹³ *ICCTA of 1995*, H. REPT. NO. 104-311 (1995), at 96.

¹⁴ *Interstate Commerce Commission Sunset Act of 1995*, S. REPT. NO. 104-176 (1995), at 6 [hereinafter “Senate Committee Report”].

¹⁵ *Surface Transportation Board Reporter, Petition of Norfolk Southern Railway Company for Expedited Declaration*, Docket No. FD 35949, (Feb. 22, 2016) at 3, available at <https://www.willcoxsavage.com/media/1540/2252016-stb-decision.pdf>. [hereinafter “STB Decision”].

¹⁶ CALIFORNIA PUBLIC UTILITIES COMMISSION, *Regulated California Railroads*, available at <https://www.cpuc.ca.gov/industries-and-topics/rail-safety/railroad-operations-and-safety/rail-operations-regulated-california-railroads>.

¹⁷ See Union Pacific, *Union Pacific System Map*, available at https://www.up.com/aboutup/reference/maps/system_map/index.htm; BNSF, *Ship with BNSF*, available at <https://www.bnsf.com/bnsf-resources/pdf/ship-with-bnsf/maps-and-shipping-locations/bnsf-network-map.pdf>.

The Honorable Michael S. Regan
 April 22, 2024
 Page 4 of 12

Railroads operate 47,500 route miles comprising 29 percent of freight rail in the United States.¹⁸ These railroads move one in five carloads on the freight rail network annually, providing first and last mile service for longer interstate shipments.¹⁹

Due to the interdependent design of railroads the Federal Government has determined, and the courts have confirmed, that a uniform regulatory scheme is necessary to the operation of the National rail system.²⁰ These principles are also encapsulated in the *Locomotive Inspection Act*.²¹ Notably, Congressional intent can also be found in the *Clean Air Act's* Section 209(e)(1) that preserves for the Federal Government the regulation of emissions from new locomotives and locomotive engines.²²

CARB's Rule would be detrimental to the safe and efficient operation of the National rail system and undermine Congress's statutorily expressed desire for Federal preemption of state and local laws that govern transportation by rail carrier.

CARB's Regulation

The CARB locomotive regulation is primarily comprised of four parts: 1) the In-Use Operational Requirement, 2) the Idling Requirement, 3) the Spending Account, and 4) Registration, Reporting and Recordkeeping Requirements.²³ As detailed below, each of these parts conflicts with existing statute, and therefore the EPA should reject both the policies and the application.

*In-Use Zero Emission Operational Requirement*²⁴

Starting in 2030, under the CARB Rule, for switcher, industrial, and passenger locomotives, only locomotives with an original build date less than 23 years old will be allowed to operate in California unless it meets Tier 4 standards, is operated in a zero emissions (ZE) configuration, or if the primary engine has not exceeded the specified megawatt hour (MWh).²⁵ In addition, switch locomotives with original build dates of 2030, or newer, will need to operate in ZE configuration in California, and line-haul locomotives engines build dates of 2035 or

¹⁸ AMERICAN SHORT LINE AND REGIONAL RAILROAD ASSOCIATION, *The Short Line and Regional Railroad Industry*, available at <https://www.aslrra.org/about-us/industry-facts/>.

¹⁹ *Id.*

²⁰ United Transp. Union v. Long Island R. Co., 455 U.S. 678 (1982).

²¹ See Senate Committee Report, *supra* note 13 at 4; see also 49 U.S.C. § 20701.

²² 42 U.S.C. § 7543(e).

²³ CALIFORNIA AIR RESOURCES BOARD, *In the Matter of California's Request for Authorization Pursuant to Clean Air Act Section 209(e) for the In-Use Locomotive Regulation, Clean Air Act Section (3)(2)*, (Nov. 7, 2023), available at <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/authorizationsdoc.pdf>, [*hereinafter* "CARB Authorization"].

²⁴ *Id.* at 5.

²⁵ CAL. CODE REGS. tit. 13, § 2478.5 (2022) [*hereinafter* "CARB Final Regulatory Order"], available at <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/fro2.pdf>.

The Honorable Michael S. Regan

April 22, 2024

Page 5 of 12

newer will need to operate in ZE configuration in California.²⁶ This requirement is clearly preempted.

The *ICCTA* transferred general jurisdiction of freight rail transportation from the then Interstate Commerce Commission to the newly established STB.²⁷ The *ICCTA* “preempts all state laws that may reasonably be said to have the effect of managing or governing rail transportation.”²⁸ STB regulates transportation by rail carrier that is only by railroad as part of the interstate rail network.²⁹

Assuming compliant locomotives are commercially available, which is not presently the case, the CARB Rule would require railroads to switch locomotives at the border or install electrification infrastructure in states other than California.³⁰ This clearly constitutes the management or governing of rail transportation. In addition, it creates the potential for certain other states in other regions to adopt similar rules. It is the type of regulatory patchwork that interferes with the safe and efficient movement of passengers and commerce across state lines. Thus, the regulation is preempted under the *ICCTA*.

*Idling Requirement*³¹

CARB’s proposed idling requirements would require operators to shut down stationary locomotives and require the installation of automatic engine start stop devices.³² This provision is clearly preempted.³³

Locomotive idling is often a safety necessity to maintain brake pressure on a consist and to ensure the locomotive is operational when needed.³⁴ It makes little economic sense for an operator to unnecessarily idle a locomotive. However, the Rule would “decide for railroads what constitutes unnecessary idling.”³⁵ In other instances, where localities or states likewise attempted to limit the idling of locomotives, courts have found that such requirements are preempted by the *ICCTA*.³⁶ Thus, an authorization of regulation would allow CARB to manage or govern rail transportation in contravention of the *ICCTA*.

²⁶ *Id.*

²⁷ *ICCTA of 1995*, Pub. L. No. 104-88, 109 Stat. 803 §§ 101, 102.

²⁸ *Assoc. of Am. R.R. v. S. Coast Air Quality Mgmt.*, Dist., 622 F.3d 1094, 1098 (9th Cr. 2010).

²⁹ 49 U.S.C. § 10501(a)(1)(A).

³⁰ THE AMERICAN SHORT LINE AND REGIONAL RAILROAD ASSOCIATION, *Comments of the Association of American Railroads, the American Short Line and Regional Railroad Association, and the California Short Line Railroad Association* at 10, available at <https://www.aslrra.org/aslrra/document-server/?cfp=aslrra/assets/File/public/news/testimony/aslrra-comments-to-propopsed-in-use-locomotive-regulations-110722.pdf>.

³¹ CARB Authorization, *supra* note 25 at 7.

³² CARB Final Regulatory Order, *supra* note 27 at §2478.9.

³³ *ICCTA of 1995*, Pub. L. No. 104-88, 109 Stat. 803.

³⁴ CANADIAN TRANSPORTATION AGENCY, *Why locomotives idle*, available at <https://otc-cta.gc.ca/eng/publication/noise-and-vibration-idling-locomotives>.

³⁵ STB Decision, *supra* note 15 at 5.

³⁶ *Ass’n of Am. R.R. v. South Coast Air Quality Mgmt. Dist.*, 2007; *see also Delaware v. Surface Transp. Bd.* (2017).

The Honorable Michael S. Regan
 April 22, 2024
 Page 6 of 12

Likewise, the regulation is preempted by the *Locomotive Inspection Act* (P.L. 103-272) in which courts have found “Congress intended to provide a nationally uniform standard for regulating railroad equipment ... there is no area within which the states may regulate.”³⁷ Again, the case of Federal preemption is clear.

*Record Keeping*³⁸

The same Federal preemption of state and locality-based regulation of railroads applies to the Rule’s record keeping requirements. The CARB Rule requires railroads to measure and report emissions information that will then be used to calculate payments to the below-mentioned Spending Account.³⁹ It is also required to measure compliance with the above-mentioned idling requirement.⁴⁰

Again, the *ICCTA* preempts the establishment of state and local regulations of railroad operations and equipment.⁴¹ If Federal law precludes California from regulating the equipment and operations of railroads, it clearly precludes record keeping associated with these activities.

*Spending Account*⁴²

The CARB Rule requires railroads operating in California to “deposit” funds into a Spending Account to purchase, lease, or rent so-called zero emissions locomotives and associated equipment.⁴³ These assessments, which may only be used for CARB-approved purposes, are specifically targeted at the railroad industry, economically regulate the railroad industry, regulate railroad operations, and are preempted under the *ICCTA*.

The Rule violates the principles of the *Staggers Rail Act of 1980* (P.L. 96-448).⁴⁴ This statute was enacted to ensure freight rail operators earned a sufficient rate of return to rehabilitate the rail system in order to meet the demands of interstate commerce, and to reform Federal regulatory policy so as to preserve a safe, adequate, economical, efficient, and financially stable rail system.⁴⁵

Each year, the railroad industry invests an average of \$23 billion in its network.⁴⁶ These investments are made to benefit safety, utilization and capacity, and improvements in efficiency

³⁷ See *The Locomotive Inspection Act*, Pub. L. No. 103-272, 108 Stat. 885; see also *Gn. Motors Corp. v. Kilgore*, 853 So.2d 171, 178 (Ala. 2002).

³⁸ CARB Authorization, *supra* note 25 at 7-8.

³⁹ CARB Final Regulatory Order, *supra* note 27 at §2478.11.

⁴⁰ *Id.* at 8.

⁴¹ *ICCTA of 1995*, Pub. L. No. 104-88 §10501, 109 Stat. 807.

⁴² CARB Authorization, *supra* note 25 at 4-5.

⁴³ CARB Final Regulatory Order, *supra* note 27 at §2478.4.

⁴⁴ *The Staggers Rail Act of 1980*, Pub. L. No. 96-448, 94 Stat. 1895.

⁴⁵ *The Staggers Rail Act of 1980*, S. REP. NO. 96-1430 at 3.

⁴⁶ AMERICAN ASSOCIATION OF RAILROADS, *Freight Rail’s Strategic Investments*, available at <https://www.aar.org/wp-content/uploads/2023/06/AAR-Investments-Fact-Sheet.pdf>.

The Honorable Michael S. Regan

April 22, 2024

Page 7 of 12

that also reduce its regulated emissions.⁴⁷ The Rule would undoubtedly reduce these investments by requiring operators to spend funds on regulatory compliance that would otherwise benefit supply chains and the environment.

For example, it is estimated that the two Class I railroads operating in California will each need to deposit between \$700 million to \$800 million a year to the Spending Account.⁴⁸ As organizations representing local governments, businesses, and labor have noted, this level of assessment puts at risk investment in rail infrastructure projects.⁴⁹ For example, funding for the Barstow International Gateway could be threatened, a project that will not only improve the efficiency of supply chains, but is located in areas that limit negative externalities on urbanized areas and help contribute to reduced congestion, maintenance, and improved safety on California highways.⁵⁰ The project is also anticipated to create 20,000 direct and indirect jobs, including union jobs.⁵¹

The burden of the Spending Account assessment would be especially acute on smaller Class II and Class III operations. According to one estimate, the amount many of these operators would have to deposit in the spending account exceeds the operator's annual profits.⁵² This government-imposed burden is the very type of business sustainability scenario the *Staggers Rail Act of 1980* was enacted to prevent.

CARB's own analysis admits the burden of the Rule's compliance costs that "it is possible some of these businesses would be eliminated."⁵³ As short line carriers are in the most direct competition with trucks, they have very little opportunity to raise their rates to meet the burdens and requirements imposed by the Rule. In short, the so-called Spending Account does nothing to retain or enhance investment in freight rail operations or capacity and would unreasonably burden interstate commerce. The Spending Account is fiscally coercive with little

⁴⁷ *Id.*

⁴⁸ The Editorial Board, *California Wants to Ban Your Choo-Choo*, WALL ST. J., (Nov. 17, 2023), available at <https://www.wsj.com/articles/california-diesel-locomotives-gavin-newsom-biden-administration-c4838adf>.

⁴⁹ See Letter from Dawn Rowe, Third District Supervisor, Chair, San Bernardino County Board of Supervisors to Karl Simon, Director, Transportation Climate Division, Office of Transportation and Air Quality, United States Environmental Protection Agency (Mar. 18, 2024); see also Letter from Jon Switalski, Executive Director, Rebuild SoCal Partnership to David Dickinson, Transportation Climate Division, Office of Transportation and Air Quality, United States Environmental Protection Agency (Mar. 25, 2024).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² THE AMERICAN SHORT LINE AND REGIONAL RAILROAD ASSOCIATION, *Comments of the Association of American Railroads, the American Short Line and Regional Railroad Association, and the California Short Line Railroad Association* at 15, available at <https://www.aslrra.org/aslrra/document-server/?cfp=aslrra/assets/File/public/news/testimony/aslrra-comments-to-propopsed-in-use-locomotive-regulations-110722.pdf>.

⁵³ CALIFORNIA AIR RESOURCES BOARD, PROPOSED IN-USE LOCOMOTIVE REGULATION: STANDARDIZED REGULATORY IMPACT ASSESSMENT at 143, (May 26, 2022), available at <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/locomotive22/appb.pdf> [*hereinafter* "CARB Reg. Impact Analysis"].

The Honorable Michael S. Regan
 April 22, 2024
 Page 8 of 12

to no accompanying resource to assist small operators with the cost of compliance.⁵⁴ Finally, it would also constitute the economic and operational regulation of railroads. It is thus preempted by the *ICCTA*.

Conclusion

The CARB Rule would have substantial negative consequences for interstate commerce. It represents the very type of government meddling in the economic regulation of railroads and the movement of goods and passengers the *Staggers Rail Act of 1980* and the *ICCTA* were enacted to prevent. As such, it very much impacts statutes and policies under the jurisdiction of the T&I Committee and the agencies Congress has tasked with responsibility for carrying out these policies.

Railroads are a crucial mode in the movement of freight and passengers in interstate commerce. Congress has enacted and courts have issued rulings on an entire body of law to ensure that individual states and localities, or even groups of states and localities, do not enact policies that specifically interfere with the operations of railroads.

The CARB Rule fails any meaningful cost-benefit analysis. According to CARB's own analysis, the cost for Class I operators exceeds \$86 billion.⁵⁵ Further, it acknowledges some operations important to the system would not be able to absorb these regulatory costs. Additionally, it mandates the adoption of technology that is not commercially available, such as zero emission locomotives. EPA must reject this misguided, dangerous, and illegal petition.

The consequences of the CARB Rule are widely recognized beyond the directly regulated industry. It is for these reasons that several local government, labor and shipper stakeholders, recognize the economic harm the Rule will have on railroad employment, investment in infrastructure, and its capacity to serve the supply chain needs of shippers.⁵⁶ They have likewise petitioned EPA to reject the In-Use Locomotive Rule.⁵⁷

We encourage the Federal Government, states, localities and railroad operators to continue to work together on meaningful and voluntary initiatives to address the externalities of railroad operations. Unfortunately, the CARB Rule is an excessive overreach that threatens interstate freight and passenger rail transportation. The CARB Petition for Authorization must be rejected by EPA.

⁵⁴ *Cleaner Trains: Opportunities for Reducing Emissions from America's Rail Network Hearing Before the Subcomm. on Clean Air, Climate and Nuclear Safety of the Senate Comm. on Environment and Public Works*, 118th Congress, (statement of Chuck Baker, President, American Short Line and Regional Railroad Administration at 8).

⁵⁵ CARB Reg. Impact Analysis, *supra* note 55 at 88-90.

⁵⁶ See Letter from Brotherhood of Locomotive Engineers and Trainmen to Karl Simon, Director of Transportation Climate Division, Office of Transportation and Air Quality, Environmental Protection Agency (March 21, 2024)(on file with Comm.); Letter from California Agriculture Organizations to Karl Simon, Director of Transportation Climate Division, Office of Transportation and Air Quality, Environmental Protection Agency (2024) (On file with Comm.)

⁵⁷ *Id.*

The Honorable Michael S. Regan
April 22, 2024
Page 9 of 12

We appreciate your consideration of our concerns. If you have any questions, please contact the Republican Staff of the Subcommittee on Railroads, Pipelines, and Hazardous Materials at (202) 225-9446.

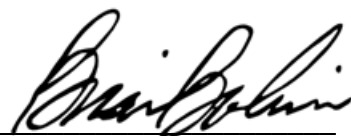
Sincerely,



Sam Graves
Chairman
Committee on Transportation
and Infrastructure



Troy E. Nehls
Chairman
Subcommittee on Railroads,
Pipelines and Hazardous Materials



Brian Babin, D.D.S.
Member of Congress



Aaron Bean
Member of Congress



Mike Bost
Member of Congress



Tim Burchett
Member of Congress



Eric Burlison
Member of Congress



Lori Chavez-DeRemer
Member of Congress

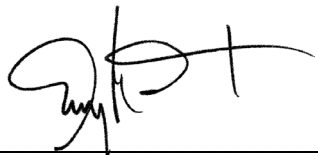


Mike Collins
Member of Congress



Eric A. "Rick" Crawford
Member of Congress

Attachment: House Letter to EPA regarding In-Use Locomotive Regulation (10062 : Federal Legislative Update)



Anthony D'Esposito
Member of Congress



John S. Duarte
Member of Congress



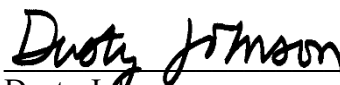
Mike Ezell
Member of Congress



Garret Graves
Member of Congress



Jennifer González-Colón
Member of Congress



Dusty Johnson
Member of Congress



Thomas H. Kean, Jr.
Member of Congress



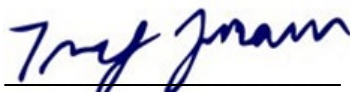
Kevin Kiley
Member of Congress



Doug LaMalfa
Member of Congress



Celeste Maloy
Member of Congress



Tracey Mann
Member of Congress



Brian Mast
Member of Congress

The Honorable Michael S. Regan
April 22, 2024
Page 11 of 12



Marcus J. Molinaro
Member of Congress



Burgess Owens
Member of Congress



Scott Perry
Member of Congress



David Rouzer
Member of Congress



Pete Stauber
Member of Congress



Jeff Van Drew
Member of Congress



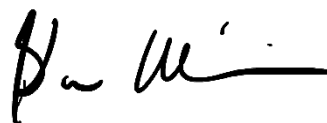
Derrick Van Orden
Member of Congress



Daniel Webster
Member of Congress



Bruce Westerman
Member of Congress



Brandon Williams
Member of Congress



Rudy Yakym III
Member of Congress

Attachment: House Letter to EPA regarding In-Use Locomotive Regulation (10062 : Federal Legislative Update)

The Honorable Michael S. Regan

April 22, 2024

Page 12 of 12

cc: The Honorable Rick Larsen, Ranking Member
Committee on Transportation and Infrastructure

The Honorable Donald Payne, Jr., Ranking Member
Subcommittee on Railroads, Pipelines, and Hazardous Materials

Attachment: House Letter to EPA regarding In-Use Locomotive Regulation (10062 : Federal Legislative Update)

ATTACHMENT B

United States Senate

WASHINGTON, DC 20510

April 16, 2024

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Regan:

On April 27, 2023, the California Air Resources Board (CARB), the air regulator for the State of California, finalized a regulation aimed at reducing emissions in the rail sector. The In-Use Locomotive Regulation (the “Regulation”) would impose significant operational and financial burdens on freight railroads operating in California, including both Class I and short line railroads. In order to go into full effect, the Regulation requires the EPA to issue a waiver pursuant to section 209 of the Clean Air Act (CAA) (42 U.S.C. 7543(e)). As the EPA considers this waiver request from CARB, we request that the EPA fully considers the limitations on the authority granted to it under the Clean Air Act and the broad impacts that such an approval would have on rail operations in California and across the United States, Canada, and Mexico.

As you are aware, beginning in 2030, the Regulation prohibits the operation in California of locomotives more than 23 years after its original manufacture date unless those locomotives operate in a zero-emissions configuration - technology that is not commercially available today. The Regulation also requires railroads to open and deposit funds into ‘spending accounts’ based on the emissions and energy consumption of each non-zero-emissions locomotive operating in California. These funds could only be utilized by the railroads to purchase these new, zero-emissions locomotives or to invest in the requisite infrastructure and demonstration projects associated with zero-emissions locomotives. The spending account provision of the Regulation would result in onerous financial constraints on railroads in California, with some estimates suggesting that the two Class I railroads with operations in California would each have to deposit approximately \$800 million annually into such accounts. Finally, the Regulation imposes strict idling requirements on the railroads as well as stringent recordkeeping requirements by mandating that every instance of idling longer than thirty minutes be reported along with the reason for idling that length of time.

The national rail network is an interconnected system of over 144,000 track miles that spans the United States, Canada, and Mexico. It is for that very reason that Congress has passed laws which unequivocally state that, as an intrinsically interstate form of transportation, the rail industry must be regulated at the federal level and not subjected to a patchwork of varying state and local regulations as trains move goods across the continent. Attempts to create state-specific operational rules, such as those envisioned by CARB, would jeopardize the interoperability of the national network and would threaten the overall health of the supply chain.

CARB has stated its goal is to force the railroads to convert their national fleets to the currently unavailable and untested zero-emission locomotives. The CAA does not grant EPA the authority to allow states to mandate specifications for the design and manufacture of locomotives – which is precisely what CARB seeks in its authorization request.

CARB's authorization request, therefore, violates the restrictions laid out in the CAA. Section 209(e)(1) of the CAA clearly prohibits California or any other state from attempting to regulate emissions from new engines used in locomotives. Despite EPA's misguided effort last year to remove regulatory preemption language, EPA is bound by the statutory language in section 209 when determining whether to issue a waiver. By forcing railroads to adopt new zero-emissions locomotives for their operations in California, CARB clearly goes beyond the parameters of section 209(e)(2) by attempting to change the fleet nationwide to new, zero-emissions locomotives.

Rail transportation remains the most fuel-efficient mode of transporting freight by land. A single locomotive can move one ton of freight 500 miles on a single gallon of fuel and can pull the equivalent freight of nearly 100 trucks. Railroads represent less than two percent of all transportation-sector greenhouse gas emissions, less than one tenth of the greenhouse gas emissions from the trucking sector. Approval of CARB's authorization request could inadvertently increase overall emissions by forcing more shippers to utilize trucks as opposed to rail-based transportation.

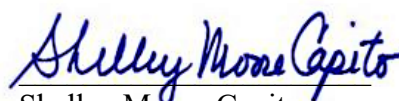
If the EPA were to approve CARB's authorization request, the results would be devastating for the rail industry and, subsequently, the economy as a whole. Under section 209(e)(2), other states would be able to follow California's lead and adopt identical standards, further disrupting the uniform regulatory landscape. In addition, the financial strain the spending account requirement of the Regulation would place on railroads could be multiplied across each other state that chooses to adopt the Regulation. Finally, the EPA's actions could jeopardize the supply chain by forcing railroads to utilize largely unproven technology to power the locomotives. The technology will also need to be evaluated by the Federal Railroad Administration to determine any safety concerns. Although railroads are currently investing in the research and development needed to commercialize zero emissions technology, that technology is years away from commercial viability.

It is for these reasons that we request the EPA carefully consider the environmental, supply chain, and modal shift implications that EPA approving CARB's waiver request would have. The economy depends on the timely, efficient, and predictable movement of goods that is facilitated by the railroads. California has failed to demonstrate the extraordinary circumstances needed to satisfy the requirements of their waiver request. And if the EPA concludes that the Regulation would substantially change the design of future locomotives in use in California and across the country, the EPA must deny the given that EPA has no authority to waive the preemptive provisions of section 209(e)(1).

Sincerely,



Pete Ricketts
United States Senator



Shelley Moore Capito
United States Senator



John Boozman
United States Senator



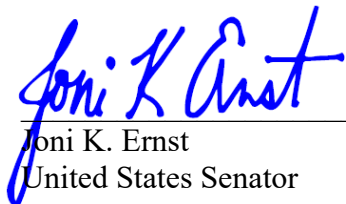
Joe Manchin III
United States Senator



Mike Braun
United States Senator



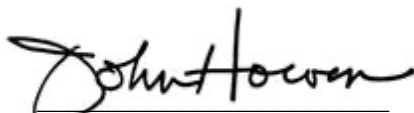
Kevin Cramer
United States Senator



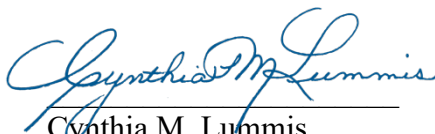
Joni K. Ernst
United States Senator



Deb Fischer
United States Senator



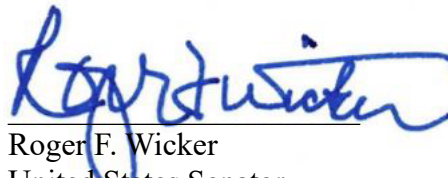
John Hoeven
United States Senator



Cynthia M. Lummis
United States Senator



Roger Marshall, M.D.
United States Senator



Roger F. Wicker
United States Senator

**ADDITIONAL
INFORMATION**

LEGISLATIVE POLICY COMMITTEE ATTENDANCE RECORD – 2024

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Ray Marquez City of Chino Hills		X	X	X								
Paul Cook Board of Supervisors		X	X	X								
Dawn Rowe Board of Supervisors				X								
Art Bishop Town of Apple Valley		X	X	X								
Larry McCallon City of Highland		X	X	X								
Alan Wapner City of Ontario												
Rick Denison Town of Yucca Valley		X	X	X								

Communication: Attendance (Additional Information)

X = member attended meeting. * = alternate member attended meeting Empty box = Did not attend meeting Crossed out box = not a Board Member at the time. Shaded box = No meeting

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IIEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

Acronym List

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments



MISSION STATEMENT

Our mission is to improve the quality of life and mobility in San Bernardino County. Safety is the cornerstone of all we do.

We achieve this by:

- Making all transportation modes as efficient, economical, and environmentally responsible as possible.
- Envisioning the future, embracing emerging technology, and innovating to ensure our transportation options are successful and sustainable.
- Promoting collaboration among all levels of government.
- Optimizing our impact in regional, state, and federal policy and funding decisions.
- Using all revenue sources in the most responsible and transparent way.

Approved December 4, 2019