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City Manager's Office
Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Betsy Shotwell
Roxanne Miller

SUBJECT: STATUS REPORT OF
SELECT STATE BILLS

DATE: June 21, 2013

Approved

Date

6/24/13

INFORMATION

This Summary of 2013 Priority Legislation includes the Senate and Assembly bills currently being considered by the State Legislature that the City of San José has taken a formal position on. Under the adopted 2013 Legislative Calendar, May 31 was the deadline for each house to pass bills introduced in their house. The Legislature has also met their constitutional requirement to pass the State Budget bill by June 15. The Governor must sign the budget and related trailer bills to have a budget in place for the July 1 start of the 2013-14 fiscal year.

The Senate is scheduled to take their Summer Recess beginning July 12 and will reconvene on August 12. The Assembly will begin their Recess on July 3 and reconvene on August 5. The last day for Senate policy committees to report out bills is July 12. The last day for the Assembly policy committees to report out bills is August 16. The last day for fiscal committees to meet and report bills to their Floors is August 30. Starting September 3 – 13, only Floor Sessions will be meeting with the exception of conference committees or action on urgency bills. September 13 is the last day for the Legislature to pass bills before adjournment of the 2013 Session. The last day for the Governor to sign or veto bills passed by the Legislature is October 13. Bills signed by the Governor will take effect on January 1, 2014 unless otherwise specified in the bill. Urgency bills go into effect immediately.

ASSEMBLY BILLS

AB 5 Ammiano (D) Homelessness

Enacts the Homeless Person's Bill of Rights and Fairness Act. Provides that no person's rights, privileges, or access to public services may be denied or abridged because he or she is homeless. Provides the right to specified actions, confidentiality of certain records, legal assistance, and restitution. Prohibits retaliation against a public employer for assisting the homeless. Requires reports and public information regarding ordinances and certain actions against the homeless. Provides civil penalties. (Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations. Held in committee.

LAST AMEND: 4/30/2013

CITY POSITION: OPPOSE

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AB 28 Perez V (D) Economic Development: Enterprise Zones

Revises various definitions for purposes of the Enterprise Zone Act and modifies specified requirements for designating and administering enterprise zones, LAMBRA's and G-TEDA's, collectively. Imposes new requirements on the Department of Housing and Community Development with respect to the enterprise zone program and modifies department and Franchise Tax Board Reporting requirements. Authorizes the department to charge a fee for specified tax credit applications for the administration of the Act. (Fiscal)

STATUS: 4/29/2013 - In Assembly Jobs, Economic Development and the Economy.

LAST AMEND: 4/29/2013

CITY POSITION: SUPPORT

AB 359 Holden (D) Vehicle Rental Agreements: Customer Facility Charge

Relates to rental car companies and a customer facility charge, a fee that is required by an airport to finance, design, and construct airport car rental facilities, transportation systems, and terminal modifications, and an audit of the facility charge. Provides the guidelines regarding the scope of the audit. Requires the audit to be posted on the airport's Internet Web site. Regards the requirement to conduct the audit every 3 years. (Non-fiscal)

STATUS: 6/06/2013 - To Senate Committee on Judiciary.

LAST AMEND: 5/13/2013

CITY POSITION: SUPPORT

AB 361 Mitchell (D) Medi-Cal: Health Homes for Medi-Cal Enrollees

Authorizes the State Department of Health Care Services to create a health home program for medical enrollees with chronic conditions, as authorized under federal law. Provides that those provisions shall not be implemented unless federal financial participation is available and additional General Fund moneys are not used to fund the administration and service costs. (Fiscal)

STATUS: 6/13/2013 - To Senate Committee on Health.

LAST AMEND: 5/24/2013

CITY POSITION: SUPPORT

AB 403 Stone (D) Solid Waste: Home-Generated Sharps

Requires a producer of home-generated sharps or a stewardship organization designated by the producer to submit a home-generated sharps stewardship plan to the Department of Resources Recycling and Recovery. Relates to a recovery program to reduce the generation of, and manage the end-of-life of, home-generated sharps. Requires a seller to be in compliance with the bill's requirements. (Fiscal)

STATUS: 5/08/2013 - In Assembly Committee on Appropriations. Not heard.

LAST AMEND: 4/18/2013

CITY POSITION: SUPPORT

AB 416 Gordon (D) Local Emission Reduction Program

Creates the Local Emission Reduction Program and requires money to be available from the general fund for providing grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state, giving consideration to the ability of a project to create local job training and job creation benefits and achieve greenhouse gas

emissions reduction. Provides the public entities that will be required to administer the program.
(Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations: Held in committee.

LAST AMEND: 4/4/2013

CITY POSITION: SUPPORT

AB 466 Quirk-Silva (D) Federal Transportation Funds

Requires the Department of Transportation to allocate federal transportation funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area. (Fiscal)

STATUS: 6/11/2013 - From Senate Committee on Transportation and Housing; Do pass to Committee on Appropriations.

LAST AMEND: 3/14/2013

CITY POSITION: SUPPORT

AB 488 Williams (D) Recycling: Household Batteries

Requires a producer or a household battery stewardship organization appointed by one or more producers of a household battery to submit a household battery stewardship plan, which would be required to include specified elements. Requires the review of the plan and to provide for its approval or disapproval. Prohibits selling a household battery unless the plan for the batteries is approved. Relates to a plan collection rate. Requires the payment of a plan review fee.

Authorizes a producer civil action. (Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations. Held in committee.

LAST AMEND: 4/23/2013

CITY POSITION: SUPPORT

AB 503 Wieckowski (D) Agnews Developmental Center: Transfer of Title

Authorizes the Director of General Services to transfer title of the former Agnews Developmental Center to the Santa Clara Unified School District for educational purposes at fair market value. (Fiscal)

STATUS: 6/13/2013 - To Senate Committee on Governmental Organization.

LAST AMEND: 5/24/2013

CITY POSITION: SUPPORT

AB 532 Gordon (D) Local Housing Trust Fund

Revises the law applicable to the Local Housing Trust Fund Matching Grant Program. Revises provisions regarding a notice of funds availability, funding priorities for local housing trust funds, and deed restrictions and equity sharing agreements for for-sale housing projects or units within for-sale housing projects. Provides an extension for a local housing trust that was under contract on a specified date. (Fiscal)

STATUS: 6/06/2013 - To Senate Committee on Transportation and Housing.

LAST AMEND: 4/4/2013

CITY POSITION: SUPPORT

AB 537 Bonta (D) Meyers-Milias-Brown Act: Impasse Procedures

Authorizes the representatives of a public agency and an employee organization, if they fail to reach an agreement, to request mediation. Provides the time period for such action. Provides that if both sides fail to reach such agreement, either party may make such request. Provides that a public agency must meet and confer promptly and to continue for a reasonable time period with the employee organization prior to an agency budget for the next fiscal year. Provides procedures upon reaching an agreement. (Fiscal)

STATUS: 6/13/2013 - To Senate Committee on Public Employment and Retirement.

LAST AMEND: 4/17/2013

CITY POSITION: OPPOSE

AB 574 Lowenthal B (D) Greenhouse Gas Reduction Fund: Sustainable Communities

Requires the State Air Resources Board to establish standards for the use of moneys allocated in the Greenhouse Gas Reduction Fund for sustainable communities projects. Requires the board to establish the criteria for the development and implementation of regional grant programs. Requires the State Transportation Commission to designate the regional granting authority within each region of the state to administer the allocated moneys for regional grant programs. (Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations, held in committee.

LAST AMEND: 4/15/2013

CITY POSITION: SUPPORT

AB 616 Bocanegra (D) Local Public Employee Organizations: Dispute

Relates to local public employee organizations. Authorizes such organization, if a dispute was not submitted to a mediation, to request that the public agency submit the parties' differences to a factfinding panel. Provides that if either party disputes that a genuine impasse has been reached, the issue of whether the impasse exists may be submitted to the Public Employment Relations Board for resolution before the dispute is submitted to a factfinding panel. Authorizes a representative from each party on the panel. (Fiscal)

STATUS: 6/06/2013 - To Senate Committee on Public Employment and Retirement.

LAST AMEND: 4/25/2013

CITY POSITION: OPPOSE

AB 637 Atkins (D) Housing Assistance

Allows the State Housing Finance Agency to use not more than a specified amount of the funds available pursuant to the State Homebuyer's Downpayment Assistance Program to finance the construction and development of housing developments, as defined in a specified statute and for-sale structures. (Fiscal)

STATUS: 6/19/2013 - In Senate. To Floor, Third Reading

LAST AMEND: 4/24/2013

CITY POSITION: SUPPORT

AB 639 Perez J (D) Veterans Housing and Homeless Prevention Act

Amends the Veterans' Bond Act of 2008 to reduce the amount of bonds that are authorized to be issued under the act. Authorizes the issuance of bonds in a specified amount for expenditure by the Department of Housing and Community Development for purposes of the construction, rehabilitation, and preservation of multifamily housing for veterans. (Fiscal)

STATUS: 6/13/2013 - To Senate Committees on Transportation and Housing and Veterans Affairs.

LAST AMEND:

CITY POSITION: SUPPORT

AB 998 Fong (D) Interagency Council on Homelessness

Creates the State Interagency Council on Homelessness. Provides that the council be composed of specified members. Authorizes the council to perform various duties, including providing a state plan to respond to homelessness. Authorizes the council to seek all available federal funding for purposes of funding the council and its activities. (Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations. Held in committee.

LAST AMEND: 4/8/2013

CITY POSITION: SUPPORT

AB 1051 Bocanegra (D) Housing

Creates the Sustainable Communities for All program to fund transit-related projects through competitive grants and loans. Appropriates an unspecified sum from the Greenhouse Gas Reduction Fund to be allocated to the Department of Housing and Community Development to provide loans for the development and construction of housing development projects within close proximity to transit stations, and to other specified projects and programs intended to reduce greenhouse gas emissions. (Fiscal)

STATUS: 5/24/2013 - In Assembly Committee on Appropriations. Held in committee.

LAST AMEND: 4/8/2013

CITY POSITION: SUPPORT

AB 1229 Atkins (D) Land Use: Zoning Regulations

Authorizes the legislative body of any city or county to adopt ordinances to establish, as a condition of development, inclusionary housing requirements. (Fiscal)

STATUS: 6/13/2013 - To Senate Committee on Transportation and Housing.

LAST AMEND:

CITY POSITION: SUPPORT

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA 3 Campos (D) Local Government Finance: Public Safety Services

Authorizes the imposition, extension, or increase of a special tax for funding fire, emergency response, police, or sheriff services, upon the approval of 55% of the voters voting. Creates an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund certain fire, emergency response, police, or sheriff

buildings or facilities, and equipment that is approved by 55% of the voters of the city, county, or special district. (Fiscal)

STATUS: 4/04/2013 - To Assembly Committees on Local Government and Appropriations.

LAST AMEND:

CITY POSITION: SUPPORT

ACA 8 Blumenfield (D) Local Government Financing: Voter Approval

Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district. (Fiscal)

STATUS: 6/15/2013 - In Assembly, to Third Reading. Adopted. To Senate.

LAST AMEND: 4/4/2013

CITY POSITION: SUPPORT

SENATE BILLS

SB 56 Roth (D) Local Government Finance: Vehicle License Fee

Modifies reduction and transfer provisions of the existing law, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. Provides for a fee adjustment for certain cities incorporating after a specified date. (Fiscal)

STATUS: 6/11/2013 - From Senate Committee on Governance and Finance, To Assembly Floor, Amended. Re-referred to Committee on Governance and Finance.

LAST AMEND: 6/11/2013

CITY POSITION: SUPPORT

SB 133 DeSaulnier (D) Redevelopment

Amends the Community Redevelopment Law. Requires a redevelopment agency to include additional information relating to any major audit violations, any corrections of those violations, and planning and general administrative expenses of the Low and Moderate Income Housing Fund. Authorizes quality control reviews by the Controller and the publishing of those reviews. Requires audits of such agencies to ensure compliance with the law. Relates to funding for housing construction and/or rehabilitation. (Fiscal) Double joined to SB 341.

STATUS: 6/14/2013 - Re-referred to Assembly Committee on Rules.

LAST AMEND: 6/10/2013

SB 341 DeSaulnier (D) Redevelopment

Changes provisions relating to the functions to be performed by the entity assuming the housing functions of the former redevelopment agency to instead refer to the housing successor. Regards the use of funds in the Low and Moderate Income Housing Asset Fund shall be used in accordance with the Community Redevelopment Law. Authorizes the uses of income received by a housing successor. Requires the transfer of all non-used funds to the Multifamily Housing or Joe Serna Jr. Farmworker Housing Grant programs. (Fiscal) Doubled joined with SB 133.

STATUS: 6/20/2013 - Passed Assembly Committee on Housing and Community Development. Amended on Assembly Floor. Referred to Committee on Local Government.

LAST AMEND: 5/30/2013

CITY POSITION: SUPPORT

SB 391 DeSaulnier (D) State Homes and Jobs Act of 2013

Enacts the California Homes and Jobs Act of 2013. Imposes a fee to be paid at the time of the recording of every real estate instrument, paper, or notice required or permitted by law to be recorded. Requires that revenues sent quarterly to the Department of Housing and Community Development for deposit in a related fund. Provides that fund moneys expended for supporting affordable housing, administering housing programs and the cost of periodic audits. Requires prevailing wage monitoring and enforcement. (Fiscal)

STATUS: 6/14/2013 - To Assembly Committees on Housing and Community Development and Labor and Employment.

LAST AMEND: 5/20/2013

CITY POSITION: SUPPORT

SB 434 Hill (D) Personal and Corporate Taxes: Credits: Enterprise Zones

Amends the Personal Income and Corporate Tax laws. Limits the credit for a taxpayer that employs a qualified employee in an enterprise zone to only those qualified employees who first commence employment before a specified date. Provides that the credit would remain in effect only until a specified date. Prohibits a person from charging a contingent fee for services rendered in connection with a credit relating to enterprise zones, LAMBRA's, manufacturing enhancement areas, or targeted tax areas. (Fiscal)

STATUS: 5/28/2013 - In Senate. To Senate Floor, To third reading.

LAST AMEND: 5/24/2013

CITY POSITION: OPPOSE

SB 727 Jackson (D) Medical Waste: Pharmaceutical Product Stewardship

Requires the submission of a plan for the safe collection and property disposal of specified waste devices by a pharmaceutical producer. Requires the Department of Resources Recycling and Recovery to post that information on its Web site. Requires each producer to also submit a related fee. Requires the imposition of administrative civil penalties for violations or a fine for non-submission of a plan by a specified date. (Fiscal)

STATUS: 5/01/2013 - In Senate Committee on Environmental Quality. Heard, remains in Committee. Two-year bill.

LAST AMEND: 4/3/2013

CITY POSITION: SUPPORT

SENATE CONSTITUTIONAL AMENDMENTS

SCA 4 Liu (D) Local Government Transportation Projects: Voter Approval

Proposes an amendment to the Constitution to provide the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of a related proposition that includes certain requirements.

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Prohibits the local government from expending any revenues derived from a special transportation tax approved by the voters at any time prior to the completion of a identified capital project funded by specified revenues. (Fiscal)

STATUS: 5/29/2013 – Amended and adopted by Senate Governance and Finance Committee.

Re-referred to Senate Committee on Transportation and Housing

AMEND: 5/21/2013

CITY POSITION: SUPPORT

SCA 7 Wolk (D) Public Libraries

Proposes an amendment to the Constitution relative to public libraries. Relates to ad valorem tax rates. Creates a certain exception to a specified limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund public library facilities. Authorizes the imposition, extension, or increase of a special tax imposed for the purpose of funding public libraries, upon approval of a specified percentage of the voters voting on the proposition. (Fiscal)

STATUS: 5/15/2013 - From Senate Committee on Governance and Finance: Be adopted.

Re-referred to Committee on Elections and Constitutional Amendments: Be adopted. Referred to Senate Rules Committee.

LAST AMEND: 2/26/2013

CITY POSITION: SUPPORT

SCA 8 Corbett (D) Transportation Projects: Special Taxes: Voter Approval

Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition includes certain requirements. (Fiscal)

STATUS: 5/29/2013 - Passed Senate Committee on Governance and Finance: Be adopted.

Referred to Senate Committee on Transportation and Housing: Passed: Be adopted.

Re-referred to Senate Rules Committee.

LAST AMEND: 5/21/2013

CITY POSITION: SUPPORT

SCA 9 Corbett (D) Local Government: Economic Development: Special Taxes

Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition, if the proposition contains specified requirements. (Fiscal)

STATUS: 5/21/2013 - In Senate, passed Senate Governance and Finance Committee:

Be Adopted. Referred to Committee on Elections and Constitutional Amendments: Passed Committee: Be adopted. Re-referred to Senate Rules Committee.

LAST AMEND: 5/21/2013

CITY POSITION: SUPPORT

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SCA 11 Hancock (D) Local Government: Special Taxes: Voter Approval

Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements. (Fiscal)

STATUS: 5/21/2013 - Passed Senate Governance and Finance Committee:

Be Adopted. Referred to Committee on Elections and Constitutional Amendments. passed: Be adopted. Referred to Senate Rules Committee.

LAST AMEND: 5/21/2013

CITY POSITION: SUPPORT

Information included in this 2013 State Priority Legislation memo will continue to be updated during the 2013 Legislative Session.

/s/

BETSY SHOTWELL

Director, Intergovernmental Relations

/s/

ROXANNE L. MILLER

Legislative Advocate

For questions, please contact Betsy Shotwell, Director of Intergovernmental Relations at (408) 535-8270 or Roxanne Miller, Legislative Advocate in Sacramento at (916) 443-3946.