

**CALAFCO Legislative Report Update
Dated October 23, 2013**

Attachment 1

CALAFCO SPONSORED BILLS

([Mullin D](#)) Sustainable communities.
Current Text: Amended: 7/3/2013
Introduced: 2/19/2013
Last Amend: 7/3/2013

Status: Died in Senate Appropriations.

[AB 453](#)

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

Summary: The Strategic Growth Council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

CALAFCO Comments: While in the Senate Natural Resources Committee, an amended was presented to the bill that would add requirements to Government Code section 56668(g) for LAFCOs to consider factors relating to regional transportation plans and greenhouse gas emissions in MSRs when reviewing proposals. After much discussion and work with the author and Committee staff, CALAFCO ultimately decided it could no longer sponsor or support the bill with that amendment. As a result, CALAFCO removed its sponsorship of the bill while the bill was still being held in Senate Appropriations, where it ended up dying.

(Committee on Local Government) Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
Current Text: Chaptered: 8/12/2013
Introduced: 4/1/2013
Last Amend: 4/30/2013

Status: Chaptered by Secretary of State - Chapter 87, Statutes of 2013.

[AB 1427](#)

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

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (act), provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would specify that the definition excludes any independent special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. This bill contains other related provisions and other existing laws.

CALAFCO SUPPORTED BILLS

([Logue R](#)) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
Current Text: Chaptered: 8/26/2013
Introduced: 2/21/2013
Last Amend: 6/11/2013

[AB 743](#)

Status: Chaptered by Secretary of State - Chapter 138, Statutes of 2013.

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

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a local agency formation commission to approve, after notice and hearing, a petition for a change of organization or reorganization of a city, if the petition was initiated on or after January 1, 2010, and before January 1, 2014, and waive protest proceedings entirely if certain requirements are met. This provision applies only to territory that does not exceed 150 acres. This bill would delete the January 1, 2014, date and make conforming changes. This bill contains other related provisions and other existing laws.

([Gordon D](#)) Health care districts: community health needs assessment.

Current Text: Amended: 4/15/2013

Introduced: 2/21/2013

Last Amend: 4/15/2013

Status: **Died in Senate Appropriations.**

[AB 678](#)

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

Summary: Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing laws.

([Roth D](#)) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013

Introduced: 1/7/2013

Last Amend: 6/11/2013

Status: **Senate Appropriations**

Location: 6/19/2013-S. APPR.

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

[SB 56](#)

Summary: Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, 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. This bill contains other related provisions and other existing laws.

Update: On the last day of session, with SB 56 stuck in Senate Committee, SB 69 was gut/amended on the Assembly Floor to reflect the exact language of SB 56. While the Pro-tem supported the idea of SB 56, and there were some encouraging conversations with the Pro-tem, Speaker, and Governor, there remained concerns over the price tag to the General Fund for this bill. The Pro-tem supported this and two other bills, all of which had a heavy price tag to the GF. In the end Steinberg could not support moving one forward and not advancing the others. The Speaker now has interest in this issue as does several of his members. One or two Assembly members (one being Fox – Santa Clarita) may carry language making whole prior inhabited annexations in the next year. Strategically they need to round up enough members to get a bill passed, which is not the case at the moment. There continues to be talk about using Prop 172 money as a temporary fix, but that does not solve the long-term problem created by SB 89. Expect to see more on this issue in the next legislative cycle.

(Committee on Governance and Finance) Validations.

[SB 181](#)

Current Text: Chaptered: 7/3/2013 Introduced: 2/6/2013

Last Amend: 5/28/2013

Status: **7/3/2013-Chaptered by Secretary of State - Chapter 57, Statutes of 2013.**

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

Summary: This bill would enact the First Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

[SB 184](#)

(Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Chaptered: 9/6/2013

Introduced: 2/6/2013

Last Amend: 8/8/2013

Status: 9/6/2013-Chaptered by Secretary of State - Chapter 210, Statutes of 2013.

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

Summary: Current law requires any person who intends to offer subdivided lands within this state for sale or lease to file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire, as specified. This bill would specify that a lot, parcel, or unit satisfies the requirement that it be improved with a completed residential structure if it is improved with a completed residential structure at the time it is conveyed by the subdivider. This bill contains other related provisions and other existing laws.

Other Bills Tracked By CALAFCO

(Hill D) Use of public resources.

Current Text: Chaptered: 10/12/2013

Introduced: 2/22/2013

Last Amend: 9/4/2013

Status: 10/12/2013-Chaptered by Secretary of State - Chapter 773, Statutes of 2013.

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

[SB 594](#)

Summary: Would prohibit a nonprofit organization or an officer, employee, or agent of a nonprofit organization from using, or permitting another to use public resources received from a local agency for campaign activity, as defined, and not authorized by law. This bill would define, among other terms, "public resources" to mean any property or asset owned by a local agency and funds received by a nonprofit organization which have been generated from any activities related to conduit bond financing by those entities subject to specified conduit financing and transparency and accountability provisions, and "nonprofit organization" to mean an entity incorporated under the Nonprofit Corporation Law or a nonprofit organization that qualifies for exempt status under the federal Internal Revenue Code of 1986, except as specified. This bill contains other related provisions and other existing laws.

CALAFCO Comments: As amended, SB 594 places new restrictions on nonprofit organizations that receive public funds and participate in certain campaign activities. While CALAFCO does not engage in advocacy of ballot measure positions or candidates, we felt the bill contained broad language that would be subject to wide interpretation by many including the Attorney General, which created the opportunity for expensive and unnecessary litigation for these nonprofit organizations. For this and a number of other reasons, CALAFCO originally took an Oppose position on the bill. Amendments made on September 3, 2013 address a number of CALAFCO concerns including the removal of the most harmful of actions identified in "election activities", and as such CALAFCO removed their opposition of the bill and took a more neutral position of watch. Other agencies such as CSAC and the League changed their positions from Oppose to Support.

([Emmerson R](#)) Drinking water.
 Current Text: Amended: 9/6/2013
 Introduced: 2/22/2013
 Last Amend: 9/6/2013

Status: Died in Senate Governance & Finance Committee

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

[SB 772](#)

Summary: Would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified.

CALAFCO Comments: As originally written, this bill required LAFcos to work directly with private water companies and created significant unfunded mandates for LAFcos; would have changed service review information gathering on mutual and private water agencies from “may” to “shall” and required private water agencies to produce spheres of influence. After significant opposition, the bill was amended by the author. As amended, this bill would exempt the Elsinore Valley Municipal Water District and the Eastern Municipal Water District from liability for injuries or damages arising out of the delivery of water to County Water Company of Riverside customers, as specified. As amended this bill no longer referenced LAFcos to take on the responsibility of monitoring private water companies. As a result of removing any and all references to LAFco, CALAFCO removed its opposition and took a Watch position.

([Alejo D](#)) Safe Drinking Water Small Community Emergency Grant Fund.
 Current Text: Chaptered: 10/8/2013
 Introduced: 12/3/2012
 Last Amend: 9/3/2013

Status: Chaptered by Secretary of State - Chapter 628, Statutes of 2013.

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

[AB 21](#)

Summary: Would authorize the Department of Public Health to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would limit the grant fund to a maximum of \$50,000,000. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and severely disadvantaged communities, thereby making an appropriation.

([Perea D](#)) Safe Drinking Water State Revolving Fund.
 Current Text: Chaptered: 10/8/2013
 Introduced: 1/14/2013
 Last Amend: 9/6/2013

Status: Chaptered by Secretary of State - Chapter 630, Statutes of 2013.

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

[AB 115](#)

Summary: Would authorize a legal entity, as defined, to apply for grant funding on behalf of one or more public water systems serving disadvantaged or severely disadvantaged communities if specified requirements are met, including having a signed agreement with each public water system for which it is applying for funding. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

([Campos D](#)) California Environmental Quality Act: translation.

Current Text: Amended: 5/24/2013

Introduced: 2/20/2013

Last Amend: 5/24/2013

Status: Died in Senate Environmental Quality.

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

[AB 543](#)

Summary: Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

CALAFCO Comments: As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the impacted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

([Gordon D](#)) Local agencies: financial management training.

Current Text: Vetoed: 10/7/2013

Introduced: 2/22/2013

Last Amend: 9/6/2013

Status: 10/7/2013-Vetoed by the Governor

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

[AB 1235](#)

Summary: Would require a local agency official, in local agency service as of January 1, 2014, or thereafter, except for an official whose term of office ends before January 1, 2015, to receive training in financial management if the local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of a legislative body. The bill would require the Treasurer's office and the Controller's office, in consultation with other state agencies, associations, and outside experts, to work together to develop standardized criteria that sufficiently meet specified requirements. This bill contains other related provisions and other existing laws.

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

Governor's Veto Message: "I am returning Assembly Bill 1235 without my signature. This bill imposes financial management training requirements on elected city, county and special district officials at potentially significant costs to the state. I believe local governments can impose appropriate financial management training without the aid of the State General Fund. Sincerely, Edmund G. Brown Jr."

([Cooley D](#)) Controller: internal control guidelines applicable to local agencies.

Current Text: Chaptered: 8/28/2013

Introduced: 2/22/2013

Last Amend: 5/24/2013

[AB 1248](#)

Status: Chaptered by Secretary of State - Chapter 190, Statutes of 2013.

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

Summary: Would require the Controller, on or before January 1, 2015, to develop internal control guidelines applicable to a local agency, as defined, to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. This bill would require the Controller to, by the same date, post the completed internal control guidelines on the Controller's Internet Web site and update them, as he or she deems necessary, as specified.

([Rendon D](#)) Mutual water companies.

Current Text: Chaptered: 10/8/2013

Introduced: 2/5/2013

Last Amend: 8/13/2013

[AB 240](#)

Status: Chaptered by Secretary of State - Chapter 633, Statutes of 2013.

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

Summary: Current law requires each board member of a mutual water company that operates a public water system to complete a training course regarding the duties of board members of mutual water companies, as specified. This bill would require a board member to repeat this training course every 6 years. This bill contains other related provisions and other existing laws.

CALAFCO Comments: Enacts the Mutual Water Company Open Meeting Act and requires mutual to adopt budgets in open meetings and take public comment. Also requires mutuals to provide certain records to the public upon request.

([Rendon D](#)) Publication: newspaper of general circulation: Internet Web site.

Current Text: Introduced: 2/20/2013

Introduced: 2/20/2013

[AB 642](#)

Status: Died in Senate Judiciary Committee.

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

Summary: Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

CALAFCO Comments: Allows for posting of agendas and meeting material on newspaper websites.

([Mullin D](#)) Utility user tax: exemption: distributed generation systems.

Current Text: Chaptered: 10/4/2013

Introduced: 2/21/2013

Last Amend: 8/29/2013

[AB 792](#)

Status: Chaptered by Secretary of State - Chapter 534, Statutes of 2013.

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

Summary: Current law provides that the board of supervisors of any county may levy a utility user tax on the consumption of, among other things, gas and electricity in the unincorporated area of the county. This bill would, until January 1, 2020, exempt from any utility user tax imposed by a local jurisdiction, as defined, the consumption of electricity generated by a clean energy resource, as defined, for the use of a single customer or the customer's tenants.

CALAFCO Comments: This bill is a gut/amend. Originally the bill related to public agencies that use the internet to post their meeting information pursuant to the Ralph M. Brown Act. The original bill is the one CALAFCO was tracking.

([Pavley D](#)) CEQA.

Current Text: Amended: 8/6/2013

Introduced: 2/22/2013

Last Amend: 8/6/2013

[SB 633](#)

Status: Died in Assembly Appropriations.

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

Summary: Would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

([Steinberg D](#)) Environment: California Environmental Quality Act.

Current Text: Amended: 9/9/2013

Introduced: 2/22/2013

Last Amend: 9/9/2013

[SB 731](#)

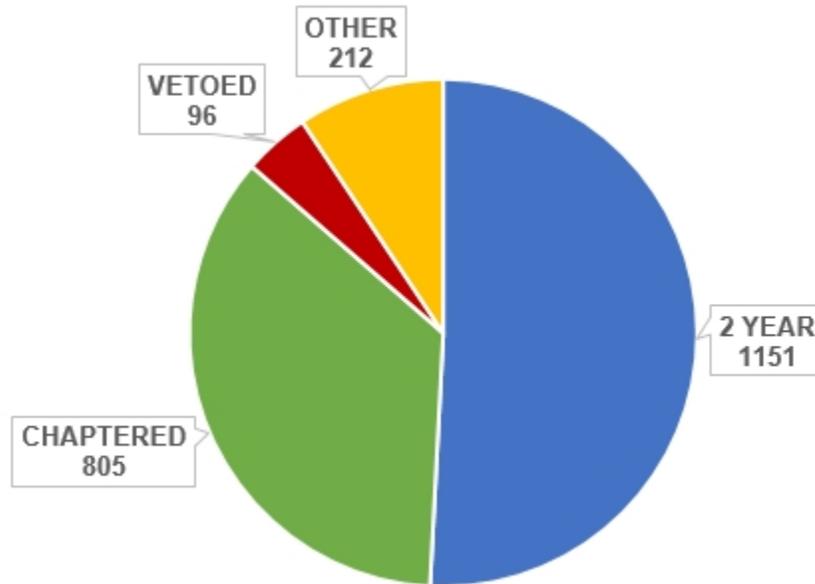
Status: Died in Assembly Local Government Committee

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

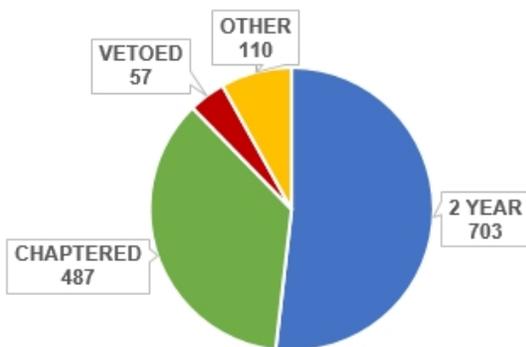
Summary: Would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the Office of Planning and Research to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. This bill contains other related provisions and other existing laws.

2013 Legislative Year Bill Summary

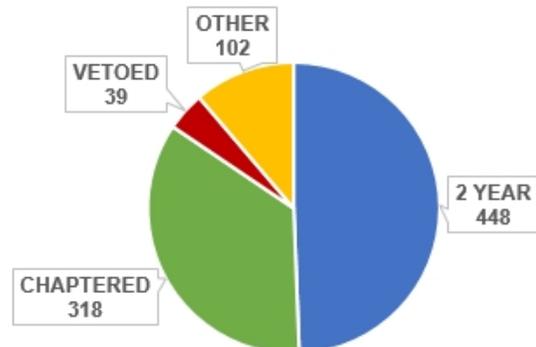
Now that the deadline has passed for Governor Brown to sign or veto 2013 bills, here's a last look at how everything shook out. (*Note: In these statistics, we examine Assembly/Senate Bills, and ignore Constitutional Resolutions, Amendments, etc.*)



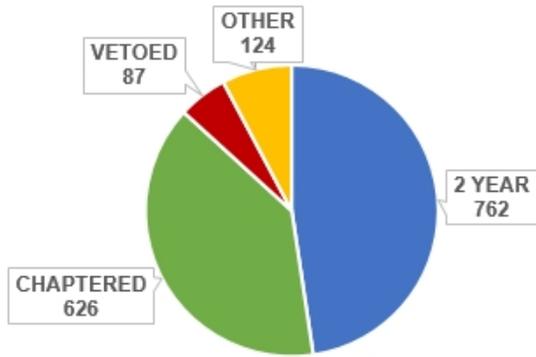
2013 Assembly/Senate Bills



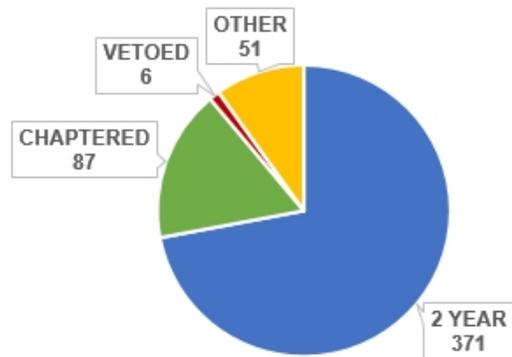
2013 Assembly Bills



2013 Senate Bills



2013 Assembly/Senate Bills
Authored by Democrats



2013 Assembly/Senate Bills
Authored by Republicans

It was also interesting to see what topics were most popular this year. The following Top 10 lists are based on the "relating to" designation in the laws section of each bill.

Taxation	120
Vehicles	54
Local Government	43
Elections	42
Health Care Coverage	37
Transportation	35
State Government	35
Employment	34
Energy	34
Firearms	28
Grand Total	462

Top 10 "Relating To" topics
for all Introduced bills

Taxation	22
Local Government	18
Transportation	18
Vehicles	17
Elections	15
State Government	14
Healing Arts	13
Employment	12
Alcoholic Beverages	12
Health Care Coverage	12
Grand Total	153

Top 10 "Relating To" topics
for Chaptered bills