

2017 OCT 19 PM 3:48

From: The Office of Assemblymember Rob Bonta

Prepared By: Tonya D. Love, Field Representative

Date: October 18, 2017

Executive Summary:

This is a summary of an informational report to be presented to Oakland City Council on November 7th, 2017. Assemblymember Bonta will present an update on statewide legislation and budget items important to the City of Oakland, take policy recommendations, and ask for Oakland City Council support of 2018 statewide bonds and Regional Measure 3.

The presentation will feature information on legislation pertaining to housing, transportation, immigration, education, public safety, and the environment. Below is a summary of budget allocations and key legislation under each subject.

The 2017 Legislative Session was a success for Assemblymember Bonta with 9 bills and 3 resolutions authored by him and signed by Governor Brown. Assemblymember Bonta greatly appreciates Oakland City Council's partnership and support.

Information about California Legislation can be found on the California Legislation Information website:
<http://leginfo.legislature.ca.gov/>

Information about the California 2017-2018 Budget can be found on the Department of Finance Website:
<http://www.ebudget.ca.gov/>

Legislation and Budget Summary:

Housing

With no proposed allocation for housing in the budget, Assemblymember Bonta and colleagues advocated strongly for bills to address California's Housing crisis. On September 29th, Governor Brown signed 15 pieces of housing legislation to address California's housing crisis. Combined, SB 2 and SB 3 could raise up to 5.1 billion dollars in funding toward building new housing.

SB 2 (Senator Atkins): Establishes the Building Homes and Jobs Act and imposes a \$75 fee on real estate transaction documents, excluding commercial and residential real estate sales, to provide funding for affordable housing. Assembly amendments require half of the funds collected in the first year to be spent towards persons experiencing homelessness and the remaining half to be made available to localities to update planning document and zoning ordinances. Signed into law Sept. 29th, 2017. *Bonta Co-Authored.*

Statewide Proposition SB 3 (Senator Beall): Enacts the Veterans and Affordable Housing Bond Act of 2018 and authorizes the issuance of \$4 billion in general obligation (GO) bonds for affordable housing programs and a veteran's home ownership program, subject to approval by the voters in the November 6, 2018 election. Signed into law Sept. 29th, 2017. *Bonta Co-Authored.*

SB 35 (Senator Wiener): Creates a streamlined, ministerial approval process for infill developments in localities that have failed to meet their regional housing needs assessment (RHNA) numbers. Signed into law September 29, 2017. *Bonta Co-Authored.*

SB 167 (Senator Skinner): The Housing Accountability Act, among other things, prohibits a local agency from disapproving, or conditioning approval in a manner than renders infeasible, a housing development project for very low-income, low-income, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based upon substantial evidence in the record. Signed into law September 29, 2017. Bonta Votes: Yes.

AB 72 (Assemblymember Chiu): Gives the Department of Housing and Community Development (HCD) authority to find a city's, county's, or (city and county) housing element out of substantial compliance if it determines that the city, county, or city and county acts or fails to act in compliance with its housing element, and allows HCD to refer violations of law to the Attorney General (AG). Signed into law September 29, 2017. *Bonta Co-Authored.*

AB 73 (Assemblymember Chiu): Allows a city or county to create a housing sustainability district to complete upfront zoning and environmental review in order to receive incentive payments for development projects that are consistent with the district's ordinance. Signed into law September 29, 2017. *Bonta Co-Authored.*

AB 74 (Assemblymember Chiu): Creates the Housing for a Healthy California Program to provide rental assistance to individuals who are homeless and receive services from the Whole Person Care pilot program, Health Homes, or another locally controlled funding source. Signed into law October 14, 2017. *Bonta Co-Authored.*

AB 1505 (Assemblymember Bloom): Authorizes the legislative body of a city or county to establish inclusionary housing requirements as a condition of the development of residential rental units, and allows the Department of Housing and Community Development to review inclusion ordinances in specified circumstances. Signed into law September 29, 2017. *Bonta Co-Authored.*

AB 932 (Assemblymember Ting): Authorizes emergency housing, upon the declaration of a shelter crisis by the City of Berkeley, Emeryville, Los Angeles, Oakland, or San Diego, the County of Santa Clara, or the City and County of San Francisco, to include homeless shelters until January 1, 2021. Signed into law on Oct. 14, 2017. *Bonta Co-Authored.*

Transportation

This year's budget and legislation supported much needed repairs to California's infrastructure.

Budget: The budget includes \$2.8 billion in infrastructure funding for 2017-2018 Fiscal Year. Over 10 years the transportation package will provide \$15 billion for highway repairs and maintenance, \$4 billion in bridge repairs, \$3 billion in the state's trade corridors, and \$2.5 billion for the state's most congested commute corridors.

Local roads will receive more than \$15 billion in new funding for maintenance and repairs and \$2 billion in matching funds for local partnership projects. Transit and intercity rail will receive \$8 billion in additional funding, and local governments will have access to \$1 billion for active transportation projects to better link travelers to transit facilities.

Regional Measure 3: SB 595 (Senator Beall): Requires the City and County of San Francisco and the other eight Bay Area counties to conduct a special election to increase the toll rate charged on state-owned bridges within the region, as specified. Signed into law October 10, 2017, *Bonta Co-Authored*.

SB 1 (Senator Beall): Increases several taxes and fees to raise the equivalent of roughly \$52.4 billion over ten years in new transportation revenues and makes adjustments for inflation every year; directs the funding to be used towards deferred maintenance on the state highways and local streets and roads, and to improve the state's trade corridors, transit, and active transportation facilities. Bonta Vote: Yes.

SB 182 (Senator Bradford): This bill prohibits a local government from requiring business licenses from drivers for transportation network companies who do not reside in its jurisdiction. Signed into law October 13, 2017. Bonta Vote: Yes

Environment

The update to California's Cap and Trade law as well as Assemblymember Bonta's Buy Clean California Bill will keep California as one of the top states in the country to address reducing greenhouse gases and lowering our carbon foot print. SB 5 will continue that effort by bringing much needed funding to protect our natural resources.

Budget: The Budget includes an initial investment of \$54 million State Parks and Recreation Fund.

AB 262 (Assemblymember Bonta): Buy Clean California Act: Requires the Department of General Services (DGS) to establish standards used in the bid process related to greenhouse gas (GHG) emissions when certain eligible materials are used in state public works projects. Signed into law on October 15, 2017.

AB 398 (Assemblymember Garcia): (Cap and Trade Bill) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: fire prevention fees: sales and use tax manufacturing exemption. Signed into law July 25, 2017, Bonta Vote: Yes.

Statewide Proposition SB 5 (Senator De León): This bill proposes the Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act (Act) of 2018, subject to voter approval in the June 2018 election. The bill proposes the issuance of \$4 billion in general obligation bonds to implement its provisions. Signed into law October 15, 2017. Bonta Vote: Yes.

Immigration

California Legislature has made it a top priority to protect our immigrants from housing, job, and educational discrimination. The historic SB 54 'Sanctuary State' bill will also limit state law-enforcement from sharing information with federal authorities.

Budget: The budget includes \$45 million for immigrant services annually for the next three years, as well as oversight services by the Attorney General regarding immigration and customs enforcement activities. It also includes \$22 million for dependency counsel and \$20 million over two years for equal access legal services.

AB 918 (Assemblymember Bonta): Significantly expands the availability and accessibility of facsimile ballots in languages other than English in situations where such facsimile ballots are required to be made available pursuant to existing law. Signed into law on October 15, 2017.

AB 291 (Assemblymember Chiu): Enacts the Immigrant Tenant Protection Act of 2017, to establish various protections and safeguards against the unauthorized disclosure of tenants' immigration or citizenship status to federal immigration authorities or other parties, as well as potential harassment, retaliation, or discrimination against tenants based on their immigration or citizenship status, or perceived immigration or citizenship status. Signed into law October 5, 2017. *Bonta Co-Authored*.

AB 450 (Assemblymember Chiu): Prohibits an employer from providing access to a federal government immigration enforcement agent to any non-public areas of a place of labor if the agent does not have a warrant. Signed into law on October 5, 2017. *Bonta Co-Authored*.

SB 54 (Kevin De León): Limits the involvement of state and local law enforcement agencies in federal immigration enforcement. Signed into law on October 5, 2017. *Bonta Co-Authored*

AB 21 (Assemblymember Kalra): Requires the California State University (CSU), California Community Colleges (CCC) and each Cal Grant eligible independent institution of higher education and requests the University of California (UC), to establish various policies and actions to be implemented by postsecondary education institutions in California that safeguard against immigration enforcement activities on campuses. *Bonta Co-Authored*.

Education

California increased budget allocations for K-12, ECE, and Community College from last year. Assemblymember Bonta has also provided protections for children and families from discriminatory policies in public schools.

Budget:

K-12: Provides an overall Proposition 98 funding level of \$74.5 billion in 2017-18, \$71.4 billion in 2016-17 and \$69.1 billion in 2015-16. The budget plan includes a significant increase in funding for K-12 education, with \$1.4 billion in additional funding for the Local Control Funding Formula, \$877 million in discretionary money for school districts provided in the 2017-18 fiscal year, and \$50 million increase for after-school programs.

ECE: Restores funding for child care and preschool programs agreed to in the 2016 Budget Act. These increases include:

- o \$67.6 million (\$43.7 million Proposition 98 and \$23.9 million non-Proposition 98 General Fund) to provide the full 10 percent increase to the reimbursement rate for State Preschool and center-based child care providers and an additional \$92.7 million (\$60.7 million Proposition 98 and \$32 million non-Proposition 98 General Fund) to provide an additional six percent increase beginning July 1, 2017.
- o \$40.6 million General Fund to increase the reimbursement rate for voucher-based child care providers to the 75th percentile of the 2016 survey beginning January 1, 2018. Includes a one-year hold harmless provision to ensure that no provider will receive a lower reimbursement rate through December 31, 2018.
- o \$7.9 million in Proposition 98 funding for an additional 2,959 full-day State Preschool slots.

Provides \$25 million in ongoing General Fund to update the state's outdated income eligibility requirements for subsidized child care and preschool

Trailer Bill: Aligns the state's definition of homelessness with the federal McKinney-Vento Act for purposes of child care eligibility.

Community College: In total, the state will provide \$183.6 million of flexible funding for colleges to use on costs such as retirement benefits, facilities, professional development, full-time faculty and other general expenses. The Budget includes \$25 million Proposition 98 General Fund for a new CCC Completion Grant Program to provide grants of up to \$2,000 to community college students who demonstrate financial need, enroll in 15 or more credit units per semester, complete an educational plan, and meet other criteria. A total of \$16.9 million of Proposition 51 bond funds are earmarked toward initial design activities for 15 community college facilities.

AB 1360 (Assemblymember Bonta): Expands the procedures that must be included in a charter school petition related to when pupils may be involuntarily removed from the charter school, authorizes additional charter school admissions preferences, and requires charter schools to notify parents that parental involvement is not a requirement for acceptance or continued enrollment at the charter school. Signed into law on October 13, 2017.

Public Safety

Cannabis regulation and procedures was a top priority this year. Assemblymember Bonta also helped increase awareness around human trafficking by mandating education and training in public schools. Although Bail Reform is now a two-year process, it remains a high priority for Assemblymember Bonta.

Budget: The Budget includes \$7.6 million for the California Arts Council to expand programs related to formerly incarcerated individuals and those in juvenile justice facilities.

Cannabis: The Budget includes approximately \$100 million to fund cannabis regulatory activities, including the processing of licenses, permits, laboratory services, information technology, quality assurance, environmental protection, and enforcement.

SB 94 (Committee on Budget and Fiscal Review): This bill establishes a single system of administration for cannabis laws in California. It contains changes related to the Budget Act of 2017 that are necessary for state licensing entities to implement a regulatory framework pursuant to the Medical Cannabis Regulation and Safety Act (MCRSA). Signed into law June 17, 2017. Bonta Vote: Yes.

AB 133 (Committee on Budget): This trailer bill makes technical changes on cannabis related issues necessary to implement the 2017 Budget Act. Signed into law September 16, 2017. Bonta Vote: Yes

AB 1227 (Assemblymember Bonta): Establishes the Human Trafficking Prevention Education and Training Act, which allows schools to provide training on human trafficking, and makes changes to the Commercially Sexually Exploited Children Program by, among other things, including educational entities among the groups with whom a county must collaborate. Signed into law on October 7, 2017

AB 42 (Assemblymember Bonta) SB 10 (Senator Hertzberg): Revises the pretrial release system by limiting pretrial detention to specified persons, eliminating the use of bail schedules, and establishing pretrial services agencies tasked with conducting risk assessments on arrested person and preparing reports with recommendations for conditions of release. *Bonta is a Joint Author*

Other Oakland Legislative Priorities

AB 218 (Assemblymember Bonta): Authorizes airports (including Oakland International Airport), until January 1, 2023, to collect customer facility charges from car rental customers to finance permitted improvement to airport car rental facilities, as provided, without using bonds or incurring other forms of indebtedness. Signed into law September 27, 2017

AB 92 (Assemblymember Bonta): This bill extends from January 1, 2018, to January 1, 2023, the sunset date on existing statutes governing the amount of money a public agency can retain from a contractor or subcontractor prior to completion of a public works project. Signed into law on July 10, 2017.

AB 1111 (Assemblymember Garcia): Establishes the Breaking Barriers to Employment Initiative for the purpose of assisting individuals who have multiple barriers to employment to receive the remedial education and work readiness skills to help them to successfully participate in training, apprenticeship, or employment opportunities that will lead to self-sufficiency and economic stability. Signed into law on October 15, 2017. Bonta Vote: Yes.

2 – Year, Inactive, and Vetoed bills

AB 423 (Assemblymember Bonta): Exempts residential hotels in the City of Oakland from the Ellis Act (Act) beginning January 1, 2018. *(Inactive)*

AB 924 (Assemblymember Bonta): Amend the Adult Use of Marijuana Act by authorizing the Governor to enter into an agreement with a federally recognized Indian tribe authorizing commercial cannabis activity that requires the tribe to establish a cannabis regulatory commission that would exercise exclusive regulatory authority over all commercial cannabis activity, by both Indians and non-Indians, in Indian country and that requires the commission to adopt standards that meet or exceed the standards adopted under the state's regulatory framework governing commercial cannabis activity.

AB 734 (Assemblymember Bonta): Authorize an infrastructure financing district within the City of Oakland to finance public capital facilities or projects that include freight rail.

SB 562 (Senator Lara): Enacts the Healthy California program, which is required to provide comprehensive universal single-payer health care coverage system for all California residents. *Bonta is a Co-Author.*

AB 1506 (Assemblymember Bloom): The Costa-Hawkins Rental Housing Act prescribes statewide limits on the application of local rent control with regard to certain properties. This bill would repeal that act. *Bonta is a co-author.*

AB 420 (Assemblymember Wood): Beginning with taxable year 2018, this bill would allow the deduction of business expenses under the Personal Income Tax Law, as provided, for a cannabis or marijuana trade or business. 2-year bill. *Bonta is a co-author.*

AB 1578 (Assemblymember Jones-Sawyer): This bill prohibits a state or local agency, as defined, from using agency resources to assist a federal agency to investigate, detain, detect, report, or arrest a person for marijuana activity that is authorized by law in the State of California and transferring an individual to federal law enforcement authorities for purposes of marijuana enforcement, unless directed to do so by a court order. *Bonta is a co-author.*

Vetoed by Governor

AB 1320 (Assemblymember Bonta): Prohibits the California Department of Corrections and Rehabilitation (CDCR) from entering into or renewing contracts with private prisons located out of state by specified dates, and eliminates their use by January 1, 2021.

AB 1479 (Assemblymember Bonta): Increases transparency in the process for requesting access to public records under the California Public Records Act (PRA or CPRA), and to allow a court to assess civil penalties for a government agency's bad faith non-compliance with the PRA.