

***BIC Regular
Meeting of
March 16, 2022***

Agenda Item 4d

Department of Building Inspection Legislative Update
Building Inspection Commission Meeting, March 16, 2022

DBI has compiled the following summary of legislation affecting the San Francisco Building Code from the Board of Supervisors, as well as from Code Advisory Committee meetings and recommendations.

UPDATES/CURRENT AND UPCOMING ORDINANCES

Upcoming Hearing Items

File No. 210954 – Hearing to receive progress updates on the seismic retrofit plan options for 301 Mission Street (also known as the Millennium Tower), based on public documents obtained by the Board of Supervisors and archived in File No. 160975; and requesting the Department of Building Inspections and project sponsor to present.

STATUS: A follow-up hearing was held at the January 6 meeting of the GAO committee. At the conclusion of the hearing, the item was continued.

File No. 210625 – Hearing to determine the nature and status of delays in permit processing and approval by the Department of Building Inspection and the Planning Department, specifically delays in the processing of "over the counter" permits and permits pursuant to Section 32 of the Business and Tax Regulations Code, which created a deadline of 30 days for the completion of permit review for storefront commercial uses, approved by the voters in November 2020; and requesting the Department of Building Inspection and Planning Department to report.

STATUS: The hearing was referred to the Land Use Committee. No date has been set.

File No. 211121 – Hearing to receive testimony on the allegations of preferential enforcement actions and related issues detailed in two Mission Local articles, dated October 17, 2021 and October 18, 2021, pursuant to the Board of Supervisors' unlimited power of inquiry; and requesting the Director of the Department of Building Inspection to report.

STATUS: The hearing item was assigned to the Government Audit and Oversight Committee. No date has been set.

File No. 210198 – Hearing on the City's electric vehicle fleet to determine when the City could be expected to have an all-electric fleet at the current rate, what are the departments' projections for the next four years towards electrifying their fleet, and the status of each department's charging stations; and requesting the Department of Environment, San Francisco Airport, Public Utilities Commission, Police Department, Department of Building Inspection, Port, City Administrator's Office, and Real Estate Division to report.

STATUS: The hearing was referred to the Government Audit and Oversight Committee. The item was originally scheduled to be heard on March 3, 2022 but was rescheduled for May 5, 2022.

File No. 210514 – Hearing on the oversight and safety of the construction conducted under the Mandatory Soft Story Retrofit Program to fully evaluate the concerns raised by the Structural Subcommittee of the Code Advisory Committee and the Structural Engineers Association of Northern California, specifically, but not limited to, the risk of gas pipe ruptures; and requesting the Department of Building Inspection, Structural Subcommittee of the Code Advisory Committee, Board of Examiners,

Pacific Gas and Electric Company, Structural Engineers Association of Northern California, and other subject matter experts to report. Assigned to Land Use and Transportation Committee.

STATUS: The hearing was held on June 7, 2021 and was continued to the call of the chair.

File No. 220249 - Hearing on the Building Operations Component of the 2022 Climate Action Plan. The Sponsor is Supervisor Mar. The hearing is on the findings, strategies, and supporting actions of the Buildings Operations component of the City's 2022 Climate Action Plan; and requesting the Department of the Environment to report.

STATUS: Received and Assigned to Land Use and Transportation Committee.

Current Legislation

File No. 211297 – Ordinance amending the Police Code to add Article 33O to require owners and covered contractors on certain residential construction projects to maintain a labor compliance bond and to condition release of such bond on specified labor standards compliance for work on the project; and amending the Building Code to require owners of such projects to file a labor compliance bond as a condition of receiving a permit for construction.

STATUS: The proposed ordinance is pending action at the Land Use and Transportation Committee.

File No. 211302 – Ordinance de-appropriating \$200,000 previously appropriated to the Mayor’s Office of Housing and Community Development and re-appropriating \$200,000 to the Department of Building Inspection for tenant outreach in Federal Department of Housing and Urban Development-funded buildings and other publicly financed residential developments in Fiscal Year (FY) 2021-2022.

STATUS: The proposed ordinance is pending action at the Budget and Finance Committee.

No File No. Yet – Ordinance amending the San Francisco Fire Code to require automatic sprinkler systems in existing high-rise buildings

STATUS: The proposed ordinance was introduced on January 11, 2022 and has not yet been assigned to a committee. This item is tentatively scheduled to be heard at the April 20, 2022 Building Inspection Commission.

File No. 190946 – Ordinance amending the Administrative Code to add a definition of Tourist or Transient Use under the Residential Hotel Unit Conversion Ordinance.

STATUS: The proposed ordinance was considered by the BIC on June 17, 2020 and recommended for approval. It has been continued to the call of the chair at the Land Use Committee. In November 2021, sponsor requested that this item remain active for an additional six months.

File No. 220241 - Building Code - Construction That Causes Temporary Suspension of Water or Utility Service or Excessive Noise

Sponsors: Peskin; Walton

Ordinance amending the Building Code to prohibit construction projects in buildings with any residential rental units, where the project would require the suspension of water or utility service to residential

tenants, without the property owner providing alternative sources of water and power or reaching agreement with tenants, and to require installation of temporary insulation to mitigate noise and disruption to impacted residential tenants; adopting findings of local conditions under the California Health and Safety Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

Status - ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

File No. 220193 - Settlement of Lawsuit - Dennis Richards, Rachel Swann, Six Dogs, LLC - \$1,800,000. Ordinance authorizing settlement of the lawsuit filed by Dennis Richards, Rachel Swann and Six Dogs, LLC against the City and County of San Francisco for \$1,800,000; the lawsuit was filed on February 21, 2020, in United States District Court, Case No. 20-cv-01242-JCS; entitled Dennis Richards, et al. v. Department of Building Inspection, et al.; the lawsuit involves alleged civil rights violations and claims that the Department of Building Inspection revoked building permits to retaliate against persons critical of the Department. (City Attorney).

Status - RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Item is scheduled to be heard on March 17th.

Recently Passed Ordinances

File No. 210699/ ORD 208-21 – Ordinance amending the Planning Code to clarify the requirements for applications to construct Accessory Dwelling Units under the City's local Accessory Dwelling Unit approval process; amending the Administrative Code to clarify that landlords may not remove tenant housing services without just cause and that issuance of a building permit does not constitute just cause; making findings as required by the Tenant Protection Act of 2019.

STATUS: The proposed ordinance was signed by Mayor Breed on November 12, 2021.

File No. 210934/ ORD 204-21 – Ordinance amending the Building Code to extend the time by approximately two years for existing buildings with a place of public accommodation to comply with the requirement to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; to extend the period for granting extensions from those deadlines; and to extend the time for the Department of Building Inspection's Report to the Board of Supervisors.

STATUS: The proposed ordinance was signed by Mayor Breed on November 12, 2021.

File No. 210741/ ORD 143-21– Ordinance waiving certain first-year permit, license, and business registration fees for businesses that commence engaging in business within the City from November 1, 2021 through October 31, 2022, have estimated first-year San Francisco gross receipts of \$2,000,000 or less, and have a registered business location that is for storefront commercial use and not formula retail uses; and refunding any waived fees paid to the City.

STATUS: The ordinance was signed by Mayor Breed on September 17, 2021.

File No. 210536/ ORD. 155-21– Ordinance amending the Health Code to 1) lower the threshold from 250,000 to 100,000 square feet of gross floor area for requiring that new buildings be constructed, operated, and maintained using specified alternate water sources for required non-potable uses; 2) exempt certain affordable housing projects and property uses from that requirement; 3) require that

certain categories of new buildings use specific sources of non-potable water for specific purposes; 4) require that new developments with multiple buildings install an alternate water source system serving the entire development; 5) modify certain administrative review fees; and 6) require the payment of excess use charges and penalties for failure to properly use and maintain alternate water source systems; amending the Business and Tax Regulations Code to update certain annual license fee amounts for operating alternate water source systems

STATUS: The ordinance was signed by Mayor Breed on October 8, 2021.

File No. 201151/ ORD 144-21 – Ordinance amending the Environment Code and the Public Works Code to require transporters of construction and demolition debris to obtain a temporary or annual permit from the Department of Environment for their vehicles and debris boxes and to require facilities that process such debris to register with the Department of Environment.

STATUS: The ordinance was signed by Mayor Breed on September 24, 2021.

File No. 210285/ ORD 111-21 – Ordinance amending the Planning, Business and Tax Regulations, and Police Codes to assist small businesses in recovering from the economic effects of the pandemic. Among other things, it would expand the Proposition H streamlined review and inspection procedures to all principally permitted storefront uses.

STATUS: The ordinance was signed by the Mayor on August 4, 2021.

File No. 210563/ ORD. 117-21 – Ordinance amending the Environment Code to update the City's climate action goals and planning process, and establish departmental roles and responsibilities. The climate action goals include requiring zero onsite fossil fuel emissions from all large existing commercial buildings by 2035.

STATUS: The ordinance was signed by the Mayor on August 4, 2021.

File No. 210643/ ORD. 108-21 – Budget and Appropriation ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of June 1, 2021 for the fiscal years ending June 30, 2022 and June 30, 2023.

STATUS: The Budget and Appropriation ordinance was approved by the Mayor on July 29, 2021.

File No. 210259/ ORD. 077-21 – Ordinance amending the Fire Code and Existing Building Code to extend the deadline for building owners to upgrade existing fire alarm systems from July 1, 2021 to July 1, 2023.

STATUS: The ordinance was signed by Mayor Breed on May 28, 2021.

File No. 210346/ ORD. 072-21 – Ordinance amending the Housing Code to prohibit removal of existing community kitchens in group housing.

STATUS: The ordinance was signed by Mayor Breed on May 14, 2021.

File No. 210015/ ORD 040-21 – Ordinance amending the Building Code to implement expanded compliance control and consumer protection for projects, individuals, agents, and entities with a history of significant violations.

STATUS: The ordinance was signed by the Mayor on March 26, 2021.

File Nos. 210030/ ORD 031-21 and 210031/ ORD 032-21 – Ordinances amending the Building Code to waive specified fees for certain Accessory Dwelling Unit projects through June 30, 2023 and appropriating the required money from the City’s general fund.

STATUS: The ordinances were signed by the Mayor on March 19, 2021.

File No. 210076/ ORD 027-21 – Ordinance to renew “Shelter-in-Peace” emergency ordinance (Ordinance No. 154-20), which requires building owners to provide replacement water and electricity in the event of utility shutoffs for construction work, advanced notice to tenants of planned utility shutoffs, and the installation of temporary sound insulation in some circumstances.

STATUS: The emergency ordinance was signed by the Mayor on March 12, 2021.

CALBO All Bills

as of Friday, March 11, 2022

AB 682 (Bloom D) Planning and zoning: density bonuses: cohousing buildings.

Introduced: 2/12/2021

Last Amended: 1/13/2022

Status: 1/27/2022-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/27/2022-S. RLS.

Summary:

Current law, commonly referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct, among other options, specified percentages of units for moderate-income, lower income, or very low income households and meets other requirements. This bill would additionally require that a density bonus be provided under these provisions to a developer who agrees to construct a housing development that is a cohousing building, as defined, that meets specified requirements and will contain either 10% of the total square footage for lower income households, as defined, or 5% of the total square footage for very low income households, as defined.

Position: Watch

AB 916 (Salas D) Zoning: accessory dwelling units: bedroom addition.

Introduced: 2/17/2021

Last Amended: 1/3/2022

Status: 1/27/2022-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/27/2022-S. RLS.

Summary:

The Planning and Zoning Law authorizes the legislative body of any county or city to adopt ordinances that regulate the use of buildings, structures,

and land as between industry, business, residences, open space, and other purposes. This bill would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of adding space for additional bedrooms or reconfiguring existing space to increase the bedroom count within an existing house, condominium, apartment, or dwelling. The bill would include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, and that the provision applies to all cities, including charter cities. This bill contains other related provisions and other existing laws.

Position: Watch

AB 965 (Levine D) Building standards: electric vehicle charging infrastructure.

Introduced: 2/17/2021

Last Amended: 6/29/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)

Location: 9/10/2021-S. 2 YEAR

Summary:

Would require the Department of Housing and Community Development to, when considering proposed building standards for future electric vehicle charging infrastructure in existing multifamily dwellings, consider whether electric vehicle charging standards shall only apply to multifamily dwellings or during the time of construction activity requiring a building or electrical permit in order to minimize the cost of installing infrastructure, and whether to require up to 20% of parking spaces in existing multifamily dwellings to support future installation of electric vehicle charging infrastructure. The bill would require the commission, by July 1, 2024, or the publication of the next interim California Building Code, whichever comes first, to research, develop, and propose building standards regarding the installation of future electric vehicle charging infrastructure for parking spaces for existing nonresidential development, as specified.

Position: Watch

AB 1078 (Patterson R) Energy: building standards: photovoltaic requirements.

Introduced: 2/18/2021

Status: 1/27/2022-Read third time. Passed. Ordered to the Senate. (Ayes 61. Noes 0. Page 3410.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/27/2022-S. RLS.

Summary:

Current law, until January 1, 2023, specifies that residential construction intended to repair, restore, or replace a residential building damaged or destroyed as a result of a disaster in an area in which a state of emergency has been proclaimed by the Governor, before January 1, 2020, is required to comply with the photovoltaic requirements, if any, that were in effect at the time the damaged or destroyed residential building was originally constructed and is not required to comply with any additional or conflicting photovoltaic requirements in effect at the time of repair, restoration, or replacement. Current law provides that this provision applies if certain requirements are met with respect to the owner's income and insurance coverage and the location and square footage of the construction. This bill would extend the operation of the above-described exemption from the State Energy Resources Conservation and Development Commission's requirements for the installation of photovoltaic systems until January 1, 2024, and would make the exemption inapplicable to emergencies declared by the Governor on and after January 1, 2021, thereby extending the exemption to residential buildings damaged or destroyed as a result of a disaster declared during the 2020 calendar year.

Position: Watch

AB 1227 (Levine D) Building energy efficiency standards: solar reflectance of roofs.

Introduced: 2/19/2021

Last Amended: 1/3/2022

Status: 2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 2/1/2022-S. RLS.

Summary:

Would require the State Energy Resources Conservation and Development Commission, during one or more of the next 4 triennial code adoption cycles after January 1, 2023, to consider amendments to the roof replacement building standards for alterations to existing low-rise, steep-sloped roof residential buildings with the goal of increasing the value of minimum aged solar reflectance up to 0.40 in the 2033 standard and the goal of expanding the range of climate zones in which minimum aged solar reflectance values are prescribed for those alterations, as provided.

Position: Watch

AB 1329 (Nazarian D) Building codes: earthquakes: functional recovery standard.

Introduced: 2/19/2021

Last Amended: 6/30/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Location: 8/27/2021-S. 2 YEAR

Summary:

Would, in addition to making specified findings and declarations, require the Building Standards Commission and the Department of Housing and Community Development to develop, adopt, approve, codify, and publish building standards that would require buildings not already under the authority of a different state agency to be designed and built to a functional recovery standard, as defined, for earthquake loads, as specified. The bill would require the commission and the department to actively consult with interested parties, as specified, in proposing and adopting functional recovery standards.

Position: Neutral

AB 1401 (Friedman D) Residential and commercial development: remodeling, renovations, and additions: parking requirements.

Introduced: 2/19/2021

Last Amended: 7/5/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Location: 8/27/2021-S. 2 YEAR

Summary:

Would prohibit a public agency in a county with a population of 600,000 or more from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within 1/2 mile, as specified, of public transit, as defined. The bill would prohibit a public agency in a city with of 75,000 or more located in a county with a population of less than 600,000 from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the project is located within 1/4 mile, as specified, of public transit, as defined. The bill would create authorizations in this regard for a city or a county to which these prohibitions do not apply.

Position: Watch

AB 1551 (Santiago D) Planning and zoning: development bonuses: mixed-use projects.

Introduced: 2/19/2021

Last Amended: 1/13/2022

Status: 1/27/2022-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/27/2022-S. RLS.

Summary:

The Density Bonus Law requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct specified percentages of units for lower income, very low income, or senior citizen housing, among other things, and meets other

requirements. Previously existing law, until January 1, 2022, required a city, county, or city and county to grant a commercial developer a development bonus, as specified, when an applicant for approval of a commercial development had entered into an agreement for partnered housing with an affordable housing developer to contribute affordable housing through a joint project or 2 separate projects encompassing affordable housing. This bill would reenact the above-described provisions regarding the granting of development bonuses to certain projects. The bill would require a city or county to annually submit to the Department of Housing and Community Development information describing an approved commercial development bonus. The bill would repeal these provisions on January 1, 2028.

Position: Watch

AB 1674 (Voepel R) Building standards: photovoltaic requirements: accessory dwelling units.

Introduced: 1/20/2022

Status: 1/27/2022-Referred to Coms. on H. & C.D. and NAT. RES.

Location: 1/27/2022-A. H. & C.D.

Summary:

Would prohibit an accessory dwelling unit, as defined, from being considered to be a newly constructed building for purposes of a specified provision of the California Energy Code, which is part of the California Building Standards Code, regarding the photovoltaic requirements for newly constructed buildings that are low-rise residential buildings. The bill would require the State Energy Resources Conservation and Development Commission, commonly known as the Energy Commission, to study exempting accessory dwelling units from specified photovoltaic requirements and make recommendations to the California Building Standards Commission in time for consideration and adoption in the next regularly occurring California Building Standards Code adoption cycle.

Position: Oppose Unless Amend

AB 1695 (Santiago D) Housing construction subsidy programs: adaptive reuse projects.

Introduced: 1/25/2022

Status: 1/26/2022-From printer. May be heard in committee February 25.

Location: 1/25/2022-A. PRINT

Summary:

Would declare the intent of the Legislature to enact legislation to provide that state housing construction subsidy programs provide funding for adaptive reuse projects that repurpose existing buildings to produce affordable housing units for extremely low and very low income Californians.

Position: Watch

AB 1710 (Lee D) Residential and outdoor light-emitting diodes (LED) fixtures.

Introduced: 1/26/2022

Status: 1/27/2022-From printer. May be heard in committee February 26.

Location: 1/26/2022-A. PRINT

Summary:

The California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. This bill would state the intent of the Legislature to enact legislation relating to the regulation of residential and outdoor light-emitting diodes (LED) fixtures that create artificial light pollution at night, which causes harmful environmental and public health effects.

Position: Oppose

AB 1737 (Holden D) Children's camps: local registration and inspections.

Introduced: 1/31/2022

Status: 2/10/2022-Referred to Coms. on HEALTH and PUB. S.

Location: 2/10/2022-A. HEALTH

Summary:

Current law requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps. Current law requires the State Fire Marshal to adopt minimum fire safety regulations for organized camps. Current law requires local health officers to enforce building standards relating to organized camps and the other rules and regulations adopted by the State Public Health Officer. Current law defines "organized camp," for these purposes. Current law requires the Director of Public Health to consider the Camp Standards of the American Camping Association when adopting rules and regulations pursuant to these provisions. This bill would make these provisions applicable to "children's camps" instead of organized camps and would define "children's camp" as a camp that offers daytime or overnight experiences administered by professional adults who provide social, cultural, educational, recreational, or artistic programming to more than 5 children between 3 and 17 years of age for 5 days or longer during at least one season, except as specified. The bill would make other conforming changes in this regard.

Position: Watch

AB 1738 (Boerner Horvath D) Building standards: installation of electric vehicle charging stations: existing buildings.

Introduced: 1/31/2022

Status: 2/10/2022-Referred to Coms. on H. & C.D. and ED.

Location: 2/10/2022-A. H. & C.D.

Summary:

Current law requires the Department of Housing and Community Development to propose to the California Building Standards Commission for consideration mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings, as specified. Existing law requires the commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development. This bill would recast

these provisions to instead require mandatory building standards for the installation of electric vehicle charging stations with Level 2 or direct current fast charger electric vehicle supply equipment, as defined, to be proposed by the Department of Housing and Community Development for the installation in existing multifamily dwellings, hotels, and motels, by the Division of the State Architect for the installation in existing school buildings, and by the commission for the installation in existing nonresidential buildings, as specified.

Position: Oppose

AB 1747 (Quirk D) Contractors: disciplinary action.

Introduced: 1/31/2022

Status: 2/10/2022-Referred to Com. on B. & P.

Location: 2/10/2022-A. B.&P.

Summary:

Under current law, willful or deliberate disregard by a licensed contractor of various state building, labor, and safety laws constitutes a cause for disciplinary action by the board. Current law provides for related disciplinary proceedings, requires the board to promulgate regulations covering the assessment of civil penalties under those disciplinary provisions, and authorizes a civil penalty not to exceed \$30,000 for specified violations. This bill would provide that the list of violations that constitute cause for a disciplinary action by the board includes a willful or deliberate disregard of any state or local law relating to the issuance of building permits, and would authorize a civil penalty not to exceed \$30,000 for any violation included on that above-specified list.

Position: Support

AB 1755 (Levine D) Homeowners' insurance: home hardening.

Introduced: 2/1/2022

Last Amended: 3/8/2022

Status: 3/9/2022-Re-referred to Com. on INS.

Location: 2/10/2022-A. INS.

Summary:

Would require an admitted insurer licensed to issue homeowners' insurance policies to issue a policy to a homeowner who has hardened their home against fire, as specified, regardless of the home's location, on and after January 1, 2025, and would require an insurer to make conforming changes to its internet website and print materials on or before July 1, 2025. The bill would create the Wildfire Protection Grant Program, under which the Department of Insurance would be required to award grants of up to \$10,000 each to help homeowners pay for costs associated with wildfire mitigation improvements. The bill would require the department to promulgate regulations to administer the Wildfire Protection Grant Program.

Position: Support if Amended

AB 1791 (Nazarian D) Environmental permits.

Introduced: 2/3/2022

Status: 2/4/2022-From printer. May be heard in committee March 6.

Location: 2/3/2022-A. PRINT

Summary:

The Permit Streamlining Act establishes requirements for the review and approval of development projects. The act authorizes the Secretary for Environmental Protection, at the request of an applicant for more than one environmental permit, to convene a permitting team, as specified, to identify all statutory and regulatory requirements for the issuance of environmental permits and provide the information to the applicant to facilitate the uniform, consistent, and expeditious processing of environmental permit applications. This bill would make a nonsubstantive change to those provisions.

Position: Watch

AB 1831 (Seyarto R) The Alfred E. Alquist Seismic Safety Commission: membership.

Introduced: 2/7/2022

Status: 2/18/2022-Referred to Com. on G.O.

Location: 2/18/2022-A. G.O.

Summary:

Current law establishes the Alfred E. Alquist Seismic Safety Commission as a separate unit within the Office of Emergency Services to, among other things, monitor and track the activities and responsibilities of various governmental agencies related to earthquake preparedness and seismic safety and to develop findings and recommendations to reduce losses and to speed recovery following a destructive earthquake. Current law requires the commission to include representatives from the fields of structural engineering, planning, fire protection, public utilities, insurance, social services, emergency services, and other local government areas that serve the public interest. This bill would also require the members of the commission to represent the field of developmental disability services.

Position: Watch

AB 1858 (Quirk-Silva D) Substandard buildings.

Introduced: 2/8/2022

Status: 2/18/2022-Referred to Com. on H. & C.D.

Location: 2/18/2022-A. H. & C.D.

Summary:

The State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation. Current law requires, for those purposes, that any building, including any dwelling unit, be deemed to be a substandard building when a health officer determines that any one of specified listed conditions exists to the extent that it endangers the life, limb, health, property, safety, or welfare of the public or its occupants. This bill would instead specify that a building be deemed a substandard building when a health officer determines that any of those listed conditions exist to the extent that it endangers the life, limb, health, property, safety, or welfare of the occupants of the building, nearby residents, or the public.

Position: Watch

AB 1873 (Boerner Horvath D) Personal Income Tax Law: Corporation Tax Law: credits: electric vehicle charging stations.

Introduced: 2/8/2022

Status: 2/18/2022-Referred to Com. on REV. & TAX.

Location: 2/18/2022-A. REV. & TAX

Summary:

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. 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 40% of the amount paid or incurred in qualified costs by a qualified taxpayer during the taxable year for the installation of specified electric vehicle supply equipment in a covered multifamily dwelling, subject to certain maximum credit amounts. The bill would define various terms for these purposes. The bill would repeal these provisions as of December 1, 2030.

Position: Support

AB 1882 (Rivas, Robert D) Hospitals: seismic safety.

Introduced: 2/8/2022

Status: 2/18/2022-Referred to Com. on HEALTH.

Location: 2/18/2022-A. HEALTH

Summary:

The Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 requires an owner of a general acute care inpatient hospital, no later than January 1, 2030, to either demolish, replace, or change to nonacute care use all hospital buildings not in substantial compliance with the regulations and standards developed pursuant to the act, or seismically retrofit all acute care inpatient hospital buildings so that they are in substantial compliance with those regulations and standards. Current law requires, within 60 days following the department's approval of a report relating to a general acute care hospital owner's plan to comply with those regulations and standards, a general acute hospital building owner to take specified actions, including informing the local office of emergency services or the equivalent agency,

the Office of Emergency Services, and the department, of each building's expected earthquake performance. This bill would instead require general acute hospital building owners, commencing July 1, 2023, to take those actions annually until each of the hospital buildings owned by that owner are compliant with those regulations and standards.

Position: Watch

AB 1953 (Maienschein D) Drinking water: accessible water bottle refill stations.

Introduced: 2/10/2022

Last Amended: 2/28/2022

Status: 3/1/2022-Re-referred to Com. on E.S. & T.M.

Location: 2/24/2022-A. E.S. & T.M.

Summary:

Would require, by January 1, 2025, the owner or operator of a transit hub, local park, public building, publicly owned building, shopping mall, or municipal golf course to install and maintain at least one, or maintain at least one existing, accessible water bottle refill station, as prescribed. The bill would also require those owners and operators that have a water bottle refill station that is not accessible to upgrade, by January 1, 2025, the water bottle refill station to an accessible water bottle refill station.

Position: Support if Amended

AB 1976 (Santiago D) Housing elements.

Introduced: 2/10/2022

Status: 2/11/2022-From printer. May be heard in committee March 13.

Location: 2/10/2022-A. PRINT

Summary:

Current law requires a city or county to adopt a comprehensive general plan, which must include a housing element. Current law establishes a schedule for local governments to revise their housing element within specified timeframes. This bill would state the intent of the Legislature to enact legislation relating to housing enforcement.

Position: Watch

AB 2002 (Villapudua D) Mobilehome parks: suspension of operation permit.

Introduced: 2/14/2022

Status: 2/24/2022-Referred to Com. on H. & C.D.

Location: 2/24/2022-A. H. & C.D.

Summary:

Current law makes it unlawful for any person to operate a mobilehome park without a permit issued by an enforcement agency. Current law requires an enforcement agency to issue and serve upon a permitholder a notice setting forth the provisions of the act that have been violated and notify the permitholder that, unless the provisions are complied with within 30 days, the permit is subject to suspension. This bill would prohibit an enforcement agency from suspending a permitholder's permit for the failure of a registered owner of a manufactured home or mobilehome, the failure of an owner of a recreational vehicle or a factory-built house, or the failure of a resident to correct a violation for which notice has been given, as specified. The bill would make legislative findings and declarations relating to manufactured housing.

Position: Oppose

AB 2063 (Berman D) Density bonuses: affordable housing impact fees.

Introduced: 2/14/2022

Status: 2/24/2022-Referred to Coms. on H. & C.D. and L. GOV.

Location: 2/24/2022-A. H. & C.D.

Summary:

The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income

households or qualifying residents, including lower income students. Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. Existing law prohibits affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's affordable units. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees, in-lieu fees, and public benefit fees, from being imposed on a housing development's density bonus units.

Position: Watch

AB 2075 (Ting D) Energy: electric vehicle charging standards.

Introduced: 2/14/2022

Status: 3/3/2022-Referred to Coms. on NAT. RES. and U. & E.

Location: 3/3/2022-A. NAT. RES.

Summary:

Current law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, among other things, lighting, insulation, climate control system, and other building design and construction standards, energy and water conservation design standards, and appliance efficiency standards to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy and to manage energy loads to help maintain electrical grid reliability, as specified. This bill would require the commission to additionally adopt, by regulation, electric vehicle charging standards to be incorporated into other building design and construction standards, as specified.

Position: Oppose Unless Amend

AB 2139 (Gallagher R) Building standards: local rebuilding plans: state of emergency.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Com. on H. & C.D.

Location: 2/24/2022-A. H. & C.D.

Summary:

Would permit, notwithstanding any subsequent updates to building standards approved by the California Building Standards Commission, a local agency that has approved template floor plans to utilize those plans for structures that have been destroyed as a result of a disaster in an area for which a state of emergency has been proclaimed by the Governor pursuant to the CESA, if the plan is being utilized within 6 years from the date the plan was approved.

Position: Watch

AB 2164 (Lee D) Disability access: funding.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Com. on JUD.

Location: 2/24/2022-A. JUD.

Summary:

Current law establishes a Disability Access and Education Revolving Fund, a continuously appropriated fund, within the Division of the State Architect for purposes of increasing disability access and compliance with construction-related accessibility requirements and developing educational resources for businesses to facilitate compliance with federal and state disability laws, as specified. This bill would expand the purpose of the fund to include providing financial assistance to small businesses for construction of physical accessibility improvements. By expanding the purpose of a continuously appropriated fund, this bill would make an appropriation.

Position: Watch

AB 2179 (Grayson D) Development fees and charges: deferral.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Coms. on L. GOV. and H. & C.D.

Location: 2/24/2022-A. L. GOV.

Summary:

Current law prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first, except that the payment may be required sooner under specified circumstances. This bill would similarly prohibit a noncompliant local agency, as defined, that imposes any fees or charges on a qualified development, as defined, from requiring the payment of those fees or charges until 20 years from the date of the final inspection, or the date the certificate of occupancy is issued, whichever occurs first.

Position: Oppose

AB 2186 (Grayson D) Housing Cost Reduction Incentive Program.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Coms. on H. & C.D. and L. GOV.

Location: 2/24/2022-A. H. & C.D.

Summary:

Would establish the Housing Cost Reduction Incentive Program, to be administered by the Department of Housing and Community Development, for the purpose of reimbursing cities, counties, and cities and counties for development impact fee waivers or reductions provided to qualified rental housing developments. Upon appropriation, the bill would require the department to provide grants to applicants in an amount equal to 50% of the amount of development impact fee waived or reduced for a qualified rental housing development by issuing a Notice of Funding Availability for each calendar year in which funds are made available for the program, as provided. The bill would require an applicant that receives a grant under the program to use those funds solely for those purposes for which the development impact fee that was waived or reduced would have been used. The bill would require the department to adopt guidelines to implement the program and exempt those guidelines from the rulemaking provisions of the Administrative Procedure Act.

Position: Watch

AB 2211 (Ting D) Shelter crisis: homeless shelters.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Com. on H. & C.D.

Location: 2/24/2022-A. H. & C.D.

Summary:

Current law, among other things, exempts from the California Environmental Quality Act specified actions by a state agency or a city, county, or city and county relating to land owned by a local government to be used for, or to provide financial assistance to, a homeless shelter constructed pursuant to these provisions, and provides that homeless shelters constructed or allowed pursuant to these shelter crisis declarations are not subject to specified laws, including the Special Occupancy Parks Act. Current law defines a "homeless shelter" as a facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless that is not in existence after the declared shelter crisis. Current law provides that a temporary homeless shelter community may include supportive and self-sufficiency development services and that a homeless shelter includes a parking lot owned or leased by a city, county, or city and county specifically identified as one allowed for safe parking by homeless and unstably housed individuals. Current law repeals these provisions as of January 1, 2026. This bill would remove the repeal date from these provisions. This bill would provide that a city, county, or city and county is in a shelter crisis if the number of unsheltered homeless persons that comprises the total homeless population within the jurisdiction of the city, county, or city and county is greater, as a percentage, than the combined average of the 49 states in the United States not including California, as determined by the Department of Housing and Community Development, as specified.

Position: Watch

AB 2221 (Quirk-Silva D) Accessory dwelling units.

Introduced: 2/15/2022

Last Amended: 3/3/2022

Status: 3/7/2022-Re-referred to Com. on H. & C.D.

Location: 3/3/2022-A. H. & C.D.

Summary:

The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires a permitting agency to act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes. This bill would provide that the requirement for an agency to act on an application means either to return in writing a full set of comments to the applicant with a comprehensive request for revisions or to return the approved permit application. The bill would require the permitting agency to complete all required service upgrades within 60 days of request if service upgrades are required for the project to pass final inspection.

Position: Watch

AB 2234 (Rivas, Robert D) Planning and zoning: housing: post-entitlement phase permits.

Introduced: 2/15/2022

Status: 2/24/2022-Referred to Coms. on L. GOV. and H. & C.D.

Location: 2/24/2022-A. L. GOV.

Summary:

Current law requires a city, county, or special district to provide specified information, including a current schedule of fees, exactions, and affordability requirements applicable to a proposed housing development project, and an archive of impact fee nexus studies, cost of service studies, or equivalent studies, conducted by the city, county, or special district, on its internet website. This bill would require a public agency to create a list of information needed to approve or deny a post-entitlement phase permit,

as defined, and to make that list available to all applicants for these permits no later than January 1, 2024. No later than January 1, 2024, the bill would require a public agency to require permits to be applied for, completed, and stored through a process on its internet website, and to accept applications and related documentation by electronic mail until that internet website is established. The bill would require the internet website or electronic mail to list the current processing status of the applicant's permit by the public agency, and would require that status to note whether it is being reviewed by the agency or action is required from the applicant. This bill contains other related provisions and other existing laws.

Position: Watch

AB 2258 (Wood D) Property Assessed Clean Energy program: wildfire safety improvements.

Introduced: 2/16/2022

Status: 3/3/2022-Referred to Coms. on L. GOV. and B. & F.

Location: 3/3/2022-A. L. GOV.

Summary:

Would authorize a public agency that has established a PACE program, as specified, to enter into voluntary contractual assessments with property owners to finance the installation of wildfire safety improvements, as defined, that are permanently fixed to real property and would provide that wildfire resiliency and safety improvements that contribute to the defensible space Zones 1 and 2 of a property, as specified, are wildfire safety improvements for purposes of those provisions.

Position: Watch

AB 2367 (Ward D) The California Building Standards Commission.

Introduced: 2/16/2022

Status: 2/17/2022-From printer. May be heard in committee March 19.

Location: 2/16/2022-A. PRINT

Summary:

Current law establishes the California Building Standards Commission

within the Government Operations Agency and sets forth the qualifications for members appointed to the commission. This bill would make a nonsubstantive change to those provisions.

Position: Watch

AB 2381 (Daly D) Code enforcement officers: address confidentiality program.

Introduced: 2/17/2022

Last Amended: 3/10/2022

Status: 3/10/2022-From committee chair, with author's amendments: Amend, and re-refer to Com. on JUD. Read second time and amended.

Location: 3/3/2022-A. JUD.

Summary:

Current law establishes an address confidentiality program for victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, commonly known as the Safe at Home program, under which an adult person, or a guardian on behalf of a minor or an incapacitated person, states that they are a victim of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, and designates the Secretary of State as the agent for service of process and receipt of mail. Under current law, when the Secretary of State certifies the person as a program participant, the person's actual address is confidential. Under existing law, any person who makes a false statement in an application is guilty of a misdemeanor. This bill would create a similar program for code enforcement officers, as defined. This bill would require the Secretary of State to approve an application of a program participant for a substitute address to be designated by the secretary.

Position: Support

AB 2386 (Bloom D) Planning and zoning: tenancy in common subject to an exclusive occupancy agreement.

Introduced: 2/17/2022

Status: 3/3/2022-Referred to Coms. on L. GOV. and JUD.

Location: 3/3/2022-A. L. GOV.

Summary:

Current law provides for the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities, as specified. Current law authorizes the legislative body of any county or city to adopt ordinances that, among other things, regulate the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes. This bill would specify that regulation, by ordinance, of the design and improvement of any multifamily property held under a tenancy in common subject to an exclusive occupancy agreement, as defined, is vested in the legislative body of the local agency.

Position: Watch

AB 2446 (Holden D) Embodied carbon emissions: construction materials.

Introduced: 2/17/2022

Status: 3/3/2022-Referred to Com. on NAT. RES.

Location: 3/3/2022-A. NAT. RES.

Summary:

Current law requires the State Energy Resources Conservation and Development Commission to adopt regulations on building design and construction standards that increase efficiency in the use of energy and water for new residential and nonresidential buildings, and energy and water conservation performance standards for new residential and nonresidential buildings. This bill would require the commission to develop a framework for measuring and then reducing carbon intensity in the construction of new buildings, including those for residential uses. The bill would require the commission to design the framework to achieve an 80% net reduction in the carbon intensity of construction and materials used in new construction by 2045, with interim goals of 20% below 2020 levels by 2030 and 40% below 2020 levels by 2035.

Position: Oppose

AB 2597 (Bloom D) Dwelling unit standards.

Introduced: 2/18/2022

Status: 3/10/2022-Referred to Com. on H. & C.D.

Location: 3/10/2022-A. H. & C.D.

Summary:

Current law requires that any building with a dwelling unit maintain certain characteristics in order to be tenantable, including the maintenance of adequate heating that conforms to the standard of quality set by applicable law. This bill would require that any building with a dwelling unit also maintain adequate cooling, as specified.

Position: Support if Amended

AB 2650 (Arambula D) Public safety: pools and spas: drowning prevention: informational materials: home inspectors.

Introduced: 2/18/2022

Status: 3/10/2022-Referred to Coms. on B. & P. and JUD.

Location: 3/10/2022-A. B.&P.

Summary:

(1)Under the Swimming Pool Safety Act, upon the issuance of a building permit for construction of a new swimming pool or spa, or the remodeling of an existing pool or spa, at a private, single-family home, the pool or spa is required to be equipped with at least 2 of 7 drowning prevention safety features. The act requires the local building code official to inspect and approve the drowning prevention safety devices before the issuance of a final approval for the completion of permitted construction or remodeling work. This bill would also apply these requirements when real property with a swimming pool or spa is transferred, as defined. The bill would specify that these requirements are not met by an exit alarm and a self-closing, self-latching device, as defined, used on the same door or on 2 separate doors that provide access to the swimming pool or spa. The bill would require these requirements to apply equally to all local jurisdictions. Because this bill would impose requirements on local officials, this bill would

impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Oppose

AB 2668 (Grayson D) Planning and zoning: housing: streamlined, ministerial approval.

Introduced: 2/18/2022

Status: 3/10/2022-Referred to Coms. on H. & C.D. and L. GOV.

Location: 3/10/2022-A. H. & C.D.

Summary:

Would prohibit a local government from determining that a development, including an application for a modification, is in conflict with the objective planning standards on the basis that application materials are not included, if the application contains sufficient information that would allow a reasonable person to conclude that the development is consistent with the objective planning standards. This bill contains other existing laws.

Position: Watch

AB 2705 (Quirk-Silva D) Housing: fire safety standards:

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary:

Current law requires the State Fire Marshal to prepare, adopt, and submit building standards and other fire and life safety regulations to the California Building Standards Commission for approval establishing minimum requirements for the storage, handling, and use of hazardous materials. Current law requires the State Fire Marshal to seek the advice of the Secretary for Environmental Protection in establishing those requirements. This bill would prohibit the legislative body of a city or county from approving a discretionary entitlement, as defined, that would result in a new residential development project, as defined, being located within a very high fire hazard severity zone, unless the city or county finds that the residential

development project will meet specified standards intended to address wildfire risks, as specified.

Position: Watch

AB 2811 (Bennett D) California Building Standards Commission: recycled water: nonpotable water systems.

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary:

Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.

Position: Support

AB 2821 (Nazarian D) Building standards: emergency standards.

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary:

The California Building Standards Law requires all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval or adoption. Current law requires the commission to act on proposed emergency standards within 30 days upon a finding of emergency, as specified. This bill would revise the above to instead provide that the commission may act on proposed emergency standards within 30 days upon a finding of emergency.

Position: Watch

AB 2829 (Low D) Tax credits: accessibility expenditures.

Introduced: 2/18/2022

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary:

Current federal law allows a credit against federal income taxes for eligible small businesses for eligible access expenditures, as those terms are defined, in an amount equal to 50% of eligible access expenditures for a taxable year that exceed \$250 but do not exceed \$10,250. The Personal Income Tax Law and the Corporation Tax Law allow a credit against the taxes imposed by those laws for the amount paid or incurred for eligible access expenditures in an amount equal to 50% of eligible access expenditures for a taxable year as do not exceed \$250, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, allow a credit under both the Personal Income Tax Law and the Corporation Tax Law for eligible access expenditures in accordance with the above-described federal tax credit, except with a credit amount equal to 10% of eligible access expenditures for a taxable year, as specified.

Position: Support

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Introduced: 12/7/2020

Last Amended: 7/1/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was H. & C.D. on 6/24/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-A. 2 YEAR

Summary:

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing

element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position: Watch

SB 379 (Wiener D) Residential solar energy systems: permitting.

Introduced: 2/10/2021

Last Amended: 1/12/2022

Status: 1/24/2022-Read third time. Passed. (Ayes 31. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 1/24/2022-A. DESK

Summary:

Current law requires a city or county to approve administratively applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Current law requires every city, county, or city and county to develop a streamlined permitting process for the installation of small residential rooftop solar energy systems, as that term is defined. Current law prescribes and limits permit fees that a city or county may charge for a residential and commercial solar energy system. Current law creates the State Energy Resources Conservation and Development Commission (Energy Commission) in the Natural Resources Agency and prescribes its duties, which include administering programs for the installation of solar energy systems. This bill would require every city, county, or city and county to implement an online, automated permitting platform that verifies code compliance and issues permits in real time for a solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system, as defined, paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

Position: Neutral

SB 833 (Dodd D) Community Energy Resilience Act of 2022.

Introduced: 1/4/2022

Last Amended: 3/7/2022

Status: 3/7/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E., U. & C.

Location: 1/19/2022-S. E. U., & C.

Summary:

Current law assigns the State Energy Resources Conservation and Development Commission various duties, including applying for and accepting grants, contributions, and appropriations, and awarding grants consistent with the goals and objectives of a program or activity the commission is authorized to implement or administer. This bill, the Community Energy Resilience Act of 2022, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans that help achieve energy resilience objectives and state clean energy and air quality goals. The bill would require a plan to, among other things, identify critical facilities, locations and facilities where the construction of microgrids or other distributed energy sources could meet local resilience needs,

Position: Watch

SB 855 (Newman D) Childhood Drowning Data Collection Pilot Program.

Introduced: 1/19/2022

Status: 2/7/2022-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 31. Noes 6.) Joint Rule 55 suspended. (Ayes 31. Noes 6.)

Location: 1/26/2022-S. HEALTH

Summary:

Would establish the Childhood Drowning Data Collection Pilot Program, to be administered by the department, to collect detailed data on childhood fatal and nonfatal drownings in California, as specified. The bill would require the department, on or before January 1, 2024, to seek to collaborate with at least 5 but no more than 10 county child death review teams or other

local agencies, as specified. The bill would require the department to submit various reports to the appropriate legislative policy committees, as specified. The bill would require the department, based on those reports, to develop a California Water Safety Action Plan for Children and a standardized form for counties to use in reporting drownings statistics.

Position: Support

SB 884 (McGuire D) Energy.

Introduced: 1/26/2022

Status: 2/7/2022-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 31. Noes 6.) Joint Rule 55 suspended. (Ayes 31. Noes 6.)

Location: 1/26/2022-S. RLS.

Summary:

The California Constitution establishes the Public Utilities Commission, with jurisdiction over all public utilities, including electrical and gas corporations. The California Constitution grants the commission certain general powers over all public utilities, subject to control by the Legislature. The California Constitution authorizes the commission to establish rules for all public utilities, subject to control by the Legislature, and to establish its own procedures, subject to statutory limitations or directions and constitutional requirements of due process. This bill would state the intent of the Legislature to enact subsequent legislation related to energy and utilities.

Position: Watch

SB 896 (Dodd D) Wildfires: defensible space: grant programs: local governments.

Introduced: 2/1/2022

Last Amended: 3/10/2022

Status: 3/10/2022-Read second time and amended. Re-referred to Com. on APPR.

Location: 3/8/2022-S. APPR.

Summary:

Current law requires a person who owns, leases, controls, operates, or

maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to maintain defensible space of 100 feet from each side. Existing law requires the Director of Forestry and Fire Protection to establish a statewide program to allow qualified entities, including counties and other political subdivisions of the state, to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts. Current law requires the director to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by the qualified entities, to be reported to the department. This bill would require any local government entity that is qualified to conduct these defensible space assessments in very high and high fire hazard severity zones and that reports that information to the department, to report that information using the common reporting platform.

Position: Watch

SB 897 (Wieckowski D) Accessory dwelling units: junior accessory dwelling units.

Introduced: 2/1/2022

Status: 2/23/2022-Set for hearing March 24.

Location: 2/9/2022-S. HOUSING

Summary:

Thee Planning and Zoning Law authorizes a local agency, by ordinance or ministerial approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Current law provides that an accessory dwelling unit may either be an attached or detached residential dwelling unit, and prescribes the minimum and maximum unit size requirements, height limitations, and setback requirements that a local agency may establish, including a 16-foot height limitation and a 4-foot side and rear setback requirement. This bill would increase the maximum height limitation that may be imposed by a local agency on an accessory dwelling unit to 25 feet.

Position: Oppose

SB 1063 (Skinner D) Energy: appliance standards and cost-effective measures.

Introduced: 2/15/2022

Last Amended: 3/10/2022

Status: 3/10/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Location: 2/15/2022-S. RLS.

Summary:

Current law requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, standards for minimum levels of operating efficiency, and authorizes the commission to prescribe other cost-effective measures, to promote the use of energy- and water-efficient appliances whose use requires a significant amount of energy or water. Current law requires that those standards become effective no sooner than one year after their date of adoption or revision and requires that they not result in any added total costs for consumers over the designed life of the impacted appliances. Existing law prohibits the sale, and the offering for sale, of a new appliance unless its manufacturer certifies that it complies with the standards in effect at the time the appliance is manufactured. This bill would authorize the commission, upon a finding of good cause, to make the standards effective sooner than one year after their date of adoption or revision.

Position: Watch

SB 1164 (Stern D) Energy: building energy efficiency: document repository and registry.

Introduced: 2/17/2022

Status: 3/2/2022-Referred to Coms. on E., U. & C. and E.Q.

Location: 3/2/2022-S. E. U., & C.

Summary:

Would require the State Air Resources Board, on or before July 1, 2023, to submit to the Legislature a report proposing a statewide heating, ventilation, and air conditioning equipment sales registry and compliance tracking

system to identify the installation of heating, ventilation, and air conditioning equipment done without permit or testing of proper performance, as provided.

Position: Support

SB 1194 (Allen D) Public restrooms: building standards.

Introduced: 2/17/2022

Status: 3/2/2022-Referred to Com. on HOUSING.

Location: 3/2/2022-S. HOUSING

Summary:

This bill would authorize a city, county, or city and county to require, by ordinance or resolution, that public restrooms constructed within its jurisdiction comply with specified requirements instead of complying with the plumbing standards set forth in the California Building Standards Code. This bill would set bathroom requirements, including, among others, that the occupancy load for each sex be determined by dividing the total occupancy 1/2, that single-user toilets and bathing rooms, including family or assisted-use toilet rooms and bathing rooms, be identified for use by either sex, that separate facilities be provided for each sex where plumbing fixtures are required, and that separate facilities not be required in specified circumstances.

Position: Oppose

SB 1264 (Dahle R) Property Assessed Clean Energy program: wildfire safety improvements.

Introduced: 2/17/2022

Status: 3/2/2022-Referred to Com. on GOV. & F.

Location: 3/2/2022-S. GOV. & F.

Summary:

Current law authorizes a legislative body of any public agency, defined to mean a city, county, or city and county, that has accepted the designation of very high fire hazard severity zone to designate an area for voluntary contractual assessments to finance the installation of wildfire safety

improvements, as defined, that are permanently fixed to existing real property. Current law requires a legislative body that wants to establish a voluntary contractual assessment program relating to wildfire safety improvements to make specified determinations by adopting a resolution as generally required by the PACE program. This bill would instead authorize specified public agencies to enter into voluntary contractual assessments with property owners to finance the installation of wildfire safety improvements, as defined, that are permanently fixed to real property, and would repeal the requirement that the improvement be fixed to existing real property.

Position: Watch

SB 1292 (Stern D) Accessory dwelling units: setbacks.

Introduced: 2/18/2022

Status: 3/4/2022-Set for hearing March 24.

Location: 3/2/2022-S. HOUSING

Summary:

The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law prohibits a local agency's accessory dwelling unit ordinance from imposing a setback requirement of more than 4 feet from the side and rear lot lines for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure. This bill would remove the above-described prohibition on a local agency's accessory dwelling unit ordinance, and would instead provide that the rear and side yard setback requirements for accessory dwelling units may be set by the local agency. The bill would authorize an accessory dwelling unit applicant to submit a request to the local agency for an alternative rear and side yard setback requirement if the local agency's setback requirements make the building of the accessory dwelling unit infeasible. The bill would prohibit any rear and side yard setback

requirements established pursuant to these provisions from being greater than those in effect as of January 1, 2020. The bill would specify that if the local agency did not have an accessory dwelling unit ordinance as of January 1, 2020, the applicable rear and side yard setback requirement is 4 feet. This bill contains other related provisions and other existing laws.

Position: Watch

SB 1297 (Cortese D) Low-embodied carbon building materials: carbon sequestration.

Introduced: 2/18/2022

Status: 3/8/2022-Set for hearing March 28.

Location: 3/2/2022-S. E.Q.

Summary:

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Existing law requires the state board, by July 1, 2023, to develop a comprehensive strategy for the state's cement sector to achieve net zero-emissions of greenhouse gases used within the state as soon as possible, but no later than December 31, 2045. This bill would require the agency, in consultation with specified state agencies, to develop a plan to advance low-carbon materials and methods in building and construction projects that details a strategy and recommendations to minimize embodied carbon and maximize carbon sequestration in building materials, as provided. The bill would require the agency to incorporate, as appropriate, projects using low-embodied carbon building materials or carbon sequestration in building materials into the California Carbon Sequestration and Climate Resiliency Project Registry. The bill would require the state board to develop an accounting protocol to quantify embodied carbon and carbon sequestration in building materials. This bill contains other related provisions and other existing laws.

Position: Watch

SB 1301 (Becker D) Building performance standards.

Introduced: 2/18/2022

Status: 3/2/2022-Referred to Com. on RLS.

Location: 2/18/2022-S. RLS.

Summary:

Would provide that it is the intent of the Legislature to later enact legislation to create building performance standards for improvements in water and energy efficiency and reductions in the emissions of greenhouse gases in large buildings and to create a set of related financial support programs and tenant protection measures, as specified.

Position: Oppose

SB 1372 (Stern D) Regulations.

Introduced: 2/18/2022

Status: 3/9/2022-Referred to Com. on HEALTH.

Location: 3/9/2022-S. HEALTH

Summary:

Current law requires the Office of Statewide Health Planning and Development to adopt and enforce regulations prescribing building standards for the adequacy and safety of health facility physical plants. This bill would require the office to include regulations for building standards that make the building safe from extreme heat and wildfire smoke.

Position: Watch

SB 1385 (Cortese D) Electricity: multifamily housing local solar program.

Introduced: 2/18/2022

Status: 3/9/2022-Referred to Com. on E., U. & C.

Location: 3/9/2022-S. E. U., & C.

Summary:

Would require the Public Utilities Commission, on or before January 1, 2024, to establish a new multifamily housing local solar program that would require each electrical corporation with more than 100,000 service connections in California to construct, or contract for the construction of, a

solar and storage system on or near qualified multifamily housing, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

SB 1393 (Archuleta D) Energy: appliances: local requirements.

Introduced: 2/18/2022

Status: 3/9/2022-Referred to Coms. on E., U. & C. and GOV. & F.

Location: 3/9/2022-S. E. U., & C.

Summary:

Current law requires the State Energy Resources Conservation and Development Commission to take specified actions to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy, including the energy associated with the use of water, and to manage energy loads to help maintain electrical grid reliability. This bill would require a city, including a charter city, or county to submit an application to, and receive approval from, the commission before the city or county could require that a fossil fuel-fired appliance be replaced with an electric appliance upon the alteration or retrofit of a residential or nonresidential building, except when the requirement includes specified exemptions, as specified.

Position: Watch

SB 1430 (Melendez R) Energy: building standards: photovoltaic requirements.

Introduced: 2/18/2022

Status: 3/9/2022-Referred to Com. on E., U. & C.

Location: 3/9/2022-S. E. U., & C.

Summary:

Current law authorizes the State Energy Resources Conservation and Development Commission to prescribe, by regulation, energy efficiency standards, including appliance efficiency standards. Pursuant to this authority, the commission has established regulations requiring solar-ready buildings and for the installation of photovoltaic systems meeting certain minimum requirements for low-rise residential buildings built on or after

January 1, 2020. Current law provides that these regulations shall be enforced by the building department of every city, county, or city and county. This bill would, until January 1, 2030, suspend any existing regulation that requires a new single-family residential home to install a new photovoltaic system.

Position: Oppose

SB 1482 (Allen D) Building standards: electric vehicle charging infrastructure.

Introduced: 2/18/2022

Status: 3/9/2022-Referred to Coms. on HOUSING and TRANS.

Location: 3/9/2022-S. HOUSING

Summary:

Current law requires the California Building Standards Commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development. Current law requires the Department of Housing and Community Development to propose to the commission for consideration mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and submit the proposed mandatory building standards. Current law requires the department and the commission, in proposing and adopting these standards, to actively consult with specified parties. This bill would require those mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings to require that each dwelling unit with access to a parking space have access to a 208/240 volt branch circuit of at least 20 amperes terminating in a receptacle for use by an electric vehicle driver to charge their plug-in electric vehicle, specified signage for those electric vehicle parking spaces, and electrical wiring design options, as specified.

Position: Oppose