

***BIC Regular Budget
Meeting of
February 16, 2022***

Agenda Item 11d

Department of Building Inspection Legislative Update
Building Inspection Commission Meeting, February 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. Supervisor Melgar tentatively has scheduled the hearing for March 3, 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.

Current Legislation

File No. 211285 – Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to 1) split the power to make appointments to the following bodies between the Mayor and the Board of Supervisors: Airport Commission, Arts Commission, Asian Art Commission, Civil Service Commission, Commission on the Environment, Commission on the Status of Women, Disability and Aging Services Commission, Fire Commission, Health Commission, Historic Preservation Commission, Human Rights Commission, Human Services Commission, Juvenile Probation Commission, Library Commission, Municipal Transportation Agency Board of Directors, Public Utilities Commission, Recreation and Park Commission, and War Memorial and Performing Arts Center Board of Trustees; subject Mayoral appointments to those bodies and to the Building Inspection Commission and the Small Business Commission to approval by the Board of Supervisors; and provide that the appropriate appointing authority (Mayor or Board of Supervisors, as applicable) may initiate removal of commissioners; and 2) specify the types of functions that the City Administrator may oversee; require that any agencies under the City Administrator be designated by ordinance; authorize the City Administrator to review City programs and services, and employment practices, and to make recommendations to the Mayor, Board of Supervisors, and departments based on those reviews; prohibit the Mayor from placing functions under the City Administrator without authorization by ordinance; and authorizing the City Administrator to recommend removal of any department head to the Mayor or a commission, and requiring the Mayor or commission to act on the recommendation within 30 days; at an election to be held on June 7, 2022.

STATUS: The proposed ordinance was tabled at the February 7, 2022 Rules Committee.

File No. 211286 – Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to revise the duties, composition, and method of appointment for members of the Building Inspection Commission; and affirming the Planning Department’s determination under the California Environmental Quality Act; at an election to be held on June 7, 2022.

STATUS: The proposed ordinance was voted out of the Rules Committee on February 7, 2022 with a favorable recommendation as a committee report to the full Board of Supervisors. The ordinance was continued at the full Board of Supervisors on February 8, 2022.

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.

File No. 210564 – Ordinance amending the Planning Code to provide a density limit exception for corner lots in RH (Residential, House) zoning districts to permit up to four dwelling units per lot.

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

File No. 210585 – Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units meeting certain requirements in single-family and multi-family buildings.

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

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.

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, February 11, 2022

AB 561 (Ting D) Help Homeowners Add New Housing Program: accessory dwelling unit financing.

Introduced: 2/11/2021

Last Amended: 8/26/2021

Status: 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/1/2021)(May be acted upon Jan 2022)

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

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

Summary:

Current law provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions. This bill would require the Treasurer's office, by April 1, 2022, to provide a report to the Legislature regarding the creation of the Help Homeowners Add New Housing Program with the purpose of assisting homeowners, as defined, in qualifying for loans to construct additional housing units on their property, including accessory dwelling units and junior accessory dwelling units. The bill would, with regard to the development of recommendations for the program, require the Treasurer to consult with the California Housing Financing Agency and the Department of Housing and Community Development, and would also authorize the Treasurer to consult with various other entities, including federal mortgage agencies, private lenders, community development financial institutions, community-based organizations, and local housing trust funds.

Position: Watch

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.

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

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.

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

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

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

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.)

Location: 1/27/2022-S. DESK

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

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.

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

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

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

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

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

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.

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

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.

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

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

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

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

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

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

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

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

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.

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

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.

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

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, Pending

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

Introduced: 2/1/2022

Status: 2/10/2022-Referred to Com. on INS.

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

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

Summary:

Current law creates the Department of Insurance to regulate the business of insurance. Current law generally regulates classes of insurance, including homeowners’ insurance. Current law prohibits an insurer, for one year after the declaration of a state of emergency, from canceling or refusing to renew a residential property insurance policy solely because the property is in an area in which a wildfire occurred. This bill 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, 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.

Position: Support, Pending

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

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

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: 2/8/2022-From printer. May be heard in committee March 10.

Location: 2/7/2022-A. PRINT

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

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: 2/9/2022-From printer. May be heard in committee March 11.

Location: 2/8/2022-A. PRINT

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

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

Introduced: 2/8/2022

Status: 2/9/2022-From printer. May be heard in committee March 11.

Location: 2/8/2022-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

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 1976 (Santiago D) Housing elements.

Introduced: 2/10/2022

Status: 2/10/2022-Read first time. To print.

Location: 2/10/2022-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptored
1st House				2nd House							

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

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

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

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

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

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

Status: 1/19/2022-Referred to Com. on E., U. & C.

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

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

Summary:

Current law assigns the 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 State Energy Resources Conservation and Development 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 and expedite permit review of distributed energy resources by local governments. The bill would require the plans to be consistent with the city, county, or city and county general plan and other local government planning documents.

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

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

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, Pending

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.

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

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

Status: 2/9/2022-Referred to Com. on N.R. & W. (Set for Hearing 3/8/2022)

Location: 2/9/2022-S. N.R. & W.

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

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. Current 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: 2/9/2022-Referred to Coms. on HOUSING and GOV. & F.

Location: 2/9/2022-S. HOUSING

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

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: Watch

Total Measures: 28

Total Tracking Forms: 28