TO: Monterey County Legislative Committee

FROM: Ashley S. Walker, Senior Policy Advisor

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RE: State Legislative Program: Advocacy Update

1. State Report -

- a. Status of the Legislature: Policy committee hearings are in full swing with bills being heard and voted upon. With the bill limit being set by legislative leadership at 35 bills per member for the 2-year cycle, many members initially filed spot bills. The deadline to amend spot bills has now passed, and we have a better understanding of what bills to focus on now that there is substantive content to review. The Legislature will take a Spring Recess from April 11 April 20. The first house policy committee deadline is on May 2 for fiscal bills, and May 9 is the deadline for nonfiscal bills.
- b. Status of the State Budget: The budget subcommittees have been meeting to discuss the Governor's January proposals and to receive public comment on the budget. The Legislature has not yet released its state budget priorities or cast any votes on the Governor's proposals. It is expected that there will be a substantial deviation from the January budget proposal to the May budget revision, given both the wildfire disasters and the recently announced Medi-Cal shortfalls. We anticipate that the legislature and governor will have to address a substantial deficit, making difficult decisions about where to reduce state funding. The legislature must pass the final budget by June 15.
 - In-Home Support Services (IHSS) County Administrative Funding Request: The County has submitted a state budget letter to address the funding methodologies used for IHSS and CalWORKs administration. The letter provides a status update on the Administration's reassessment effort, as required by the 2024 Budget Act, an analysis of historical and persistent underfunding of IHSS administration, and how the harmful downstream impacts the lack of sufficient funding will result on counties' abilities to effectively provide timely access to the IHSS program for providers and consumers. It reiterates the critical need to fully fund the administration of the In-Home Supportive Services (IHSS) program. Without funding, there could be a direct impact on the availability and scope of services for residents.
 - II. CalWORKs Administrative Funding Request: The County has submitted a state budget letter to request that a one-time allocation of \$245 million be included in the budget to address critical and persistent underfunding of CalWORKs program operations. The letter also requests that the Administration update the Single Allocation methodology for the eligibility component, beginning FY 2026-27 and ongoing, to reflect the true costs of

- the eligibility workload. CSAC, RCRC, CWDA, SEIU and UCC have all also submitted a similar letter detailing why this funding is necessary.
- III. Housing and Homeless Programs Funding Request: The County submitted a state budget letter to request additional ongoing funding for Bringing Families Home (BFH), Home Safe, CalWORKs Housing Support Program (HSP), and the Housing and Disability Advocacy Program (HDAP). This request is in coordination with CWDA.
- **IV. Member Requests**: Nossaman has met with Assemblymember Addis' and Senator Laird's offices to discuss state budget requests for the County. However, given that it is expected the Governor's May Revise will now announce a deficit, the offices are not making any commitments on the potential of Member Requests being possible in the state budget this year.

c. Legislation:

I. AB 63 (Rodriquez) Loitering with intent to commit prostitution: Existing law, until January 1, 2023, prohibited loitering in a public place with the intent to commit prostitution and made that crime a misdemeanor. This bill would reinstate those provisions and would prohibit law enforcement from making an arrest pursuant to these provisions solely based on the individual's gender identity or sexual orientation. The bill would also require law enforcement, prior to making an arrest of the individual pursuant to these provisions, to document their attempts to offer the individual services. By creating a new crime, and by imposing new duties on local law enforcement, this bill would impose a state-mandated local program.

CSAC Position: Watch Suggested Position: Support

II. AB 303 (Addis) Battery energy storage facilities: Current law, until June 30, 2029, authorizes a person proposing an eligible facility, including an energy storage system capable of storing 200 megawatthours or more of energy, to submit an application for certification with the State Energy Resources Conservation and Development Commission of the site and related facility. Current law specifies that the issuance by the commission of the certificate is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, except as provided. Existing law establishes the procedures by which the commission is to review the application. This bill would specify that energy storage systems do not include battery energy storage systems for the above-described purposes.

CSAC Position: None

Suggested Position: Obtain Direction from the Legislative Committee

III. AB 470 (McKinnor) Telephone corporations: carriers of last resort: This bill stipulates that if a telephone corporation wants to stop being a carrier of last resort in an eligible area, it must notify the commission. Submitting this notice relinquishes its carrier status, and the corporation must adjust its service tariffs accordingly. Additionally, the corporation must establish a process for customers to challenge the availability of

alternative services. The bill also mandates the commission to develop a transition plan for when a corporation relinquishes its carrier status in non-eligible areas. Although the California Constitution requires the state to reimburse local agencies for certain costs, this bill specifies that no reimbursement is needed for implementing its provisions.

CSAC Position: Pending Suggested Position: Oppose

IV. AB 726 (Ávila Farías) Planning and zoning: annual report: rehabilitated units: Under the Planning and Zoning Law, counties and cities must create a comprehensive long-term plan for their physical development, including a mandatory housing element. Every April 1st, the planning agency of each city or county is required to submit an annual report to the Office of Land Use and Climate Innovation and the Department of Housing and Community Development. This report must detail their progress in meeting regional housing needs. This bill allows local agencies to also report the number of deed-restricted affordable housing units, over 15 years old, that have been significantly rehabilitated with a minimum of \$60,000 per unit in city or county funds. These units cannot be considered when determining eligibility for streamlined approval processes. *CSAC Position: None*

Suggested Position: Support

V. AB 933 (Ávila Farías) Organized residential camps: organized day camps: This bill proposes the following updates to existing laws related to organized camps. It introduces new definitions, including renaming "organized camp" to "organized residential camp" and defining "organized day camp" as a facility providing group experiences with educational or recreational objectives for children ages 3-17. It states that day camps operate for more than three hours per day, at least five days a year. It also defines "living experience" as an overnight camp lasting five days or more and changes the definition of "camper" to include participants in both residential and day camps who engage in program activities. The bill mandates that regulations for residential camps, established by the State Public Health Officer and the State Fire Marshal, are also applicable to day camps, excluding those specific to overnight experiences. Local health officers are required to enforce relevant building standards for day camps. Organized day camps must meet specific building and safety standards, and failure to comply constitutes a misdemeanor.

CSAC Position: Oppose Suggested Position: Oppose

VI. AB 946 (Bryan) Chief probation officer: designee: Under existing law, every county must appoint a chief probation officer who is nominated according to certain criteria. This officer is responsible for fulfilling legal duties, including managing juvenile halls as directed by law or the superior court. This bill introduces an exception for counties with populations of at least 3.5 million people. In these counties, the responsibility to perform these duties and manage obligations related to youth development will fall to the chief probation officer or a designee appointed by the county board of supervisors.

CSAC Position: None Suggested Position: Oppose VII. AB 1014 (Rogers) Traffic safety: speed limits: Existing law sets default speed limits for highways and the Department of Transportation must adjust these limits to the nearest 5 miles per hour based on the 85th percentile of traffic speed. Local authorities can lower speed limits if the current limit is deemed too high for safety or specific conditions, such as designating a highway section as a "safety corridor." This bill would allow the Department of Transportation to similarly lower or keep speed limits under specific circumstances and introduces additional criteria for defining "safety corridor." It permits further reductions of 5 miles per hour for safety concerns, such as safe pedestrian crossings. Additionally, the bill allows setting a 25- or 20-mile-per-hour speed limit on non-freeway highways. As for enforcement, the bill mandates that any peace officer, instead of just the local authority, must issue warning citations for the first 30 days of a new lower speed limit.

CSAC Position: None

Suggested Position: Support

VIII. SB 283 (Laird) Battery energy storage facilities: emergency response plans and emergency action plans: The California Building Standards Law empowers the California Building Standards Commission to approve and adopt building standards, integrating them into the California Building Standards Code. By January 1, 2025, updates on fire standards for lithium-based battery systems must be proposed. This bill mandates the Commission and the State Fire Marshal to consider the latest NFPA 855 guidelines for energy storage systems in the update of building standards after July 1, 2026. Existing law allows entities planning large energy storage systems (over 200 megawatt-hours) to apply to the State Energy Resources Conservation and Development Commission for site certification, which replaces all other state, local, or regional permits. The Public Utilities Commission is responsible for guiding the deployment of energy storage systems.

CSAC Position: None Suggested Position: Support

IX. SB 357 (Menjivar) Juveniles: delinquency: Existing law assigns jurisdiction over minors aged 12 to 17 who violate laws, and minors under 12 accused of serious offenses, to the juvenile court, which can make them wards of the court. The law assigns probation officers responsibilities for supervising these minors, managing probation, juvenile halls, and detention facilities. This bill would allow a county's board of supervisors to delegate some or all of these duties and authorities, currently assigned to the probation department or officers, to another county department.

CSAC Position: None Suggested Position: Oppose

X. SB 577 (Laird) Civil actions: This bill discusses existing laws related to childhood sexual assault cases, which currently have no time limit for initiating certain damage recovery actions. This bill would limit plaintiffs from refiling dismissed cases of this nature if more than five years have passed since the initial dismissal. The bill proposes that, in cases of refunding bonds used to pay a tort action judgment against a public entity, the debt should be recognized from the date the public entity adopts a specific resolution or ordinance. The bill also pertains to current laws allowing defendants or cross-defendants in civil cases to request a court's assessment of whether a proceeding was

initiated in good faith and with reasonable cause. If not, the court can award defense costs to the opposing party.

CSAC Position: None

Suggested Position: Support

XI. SB 599 (Caballero) Atmospheric Rivers Research and Forecast Improvement Program: extended range forecasting: The Atmospheric Rivers Research and Forecast Improvement Program (AR/FIRO) in the Department of Water Resources is established under existing law to improve reservoir operations for better flood protection and water storage, specifically targeting atmospheric river events. The law mandates the department to conduct research and develop advanced prediction models, forecasting methods, and decision support systems. These initiatives aim to enhance predictions about atmospheric rivers' impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions. The new bill adds a requirement for the department to incorporate experimental tools that can produce seasonal and subseasonal forecasts of atmospheric rivers.

CSAC Position: Watch

Suggested Position: Support

XII. **SB 601 (Allen) Water: waste discharge:** This discusses several proposed amendments to California water quality regulations under different legislative acts. Modifications to business operation requirements will now encompass the Waste Discharge Requirements (WDR) permit program along with the existing National Pollutant Discharge Elimination System (NPDES). This includes applications for construction activities disturbing over one acre and requires reporting of specific data such as the planned disturbed acreage and Waste Discharger Identification numbers. The California Safe Drinking Water Act mandates that by June 30, 2028, state drinking water standards must align with or exceed specific federal standards from 2025, with these provisions expiring in 2030. Revisions in water quality control plans allow the State Water Resources Control Board to cover any waters in California, including "nexus waters." Existing standards approved by the EPA or state remain valid unless new, stricter standards are adopted. New discharge requirements must align with state policies for water quality control. Adjustments in civil penalties for violations, including waste discharge and injection well reporting failures, will be enforced starting in 2026.

CSAC Position: Oppose Suggested Position: Oppose

XIII. SB 839 (Laird) Oil spills: fishing: water closure: grants: liability: This bill discusses amendments to existing environmental laws concerning oil spills and the handling of fish and shellfish in affected waters. The current law mandates the Director of Fish and Wildlife to close waters to the take of fish and shellfish upon notification of a spill, unless the Office of Environmental Health Hazard Assessment (OEHHA) finds no public health threat. The director must also assess the safety of fish in recirculating seawater tanks on vessels. The director seeks reimbursement from responsible parties for costs incurred during these processes. The bill proposes allowing, rather than requiring, the director to close affected waters, with a mandatory closure only if OEHHA identifies a public health risk. It also authorizes OEHHA to seek reimbursement and makes taking

fish from closed waters a criminal act, thereby creating a new crime and a state-mandated local program. The bill also modifies grant eligibility for oil spill response equipment, making federally recognized tribes eligible.

CSAC Position: Watch

Suggested Position: Report Only

d. California PUC Hearing - Energy Storage Safety, Emergency Response Requirements: On March 13, 2025, Nossaman attended the CPUC hearing to monitor the Modification of General Order 167. General Order 167 was established to ensure a reliable power grid. SB 38, a 2023 bill signed by the Governor and authored by Senator Laird, required owners or operators of battery energy storage facilities located in the state to create an emergency response and action plan, which must be submitted to the county. ESRB 13 is the implementation plan for SB 38. It requires that storage facilities undergo regular maintenance, site visit inspections, and maintain a logbook. It enhances accountability, which will improve the safety and reliability of California electric generation facilities and energy storage facilities. ESRB 13 was developed following three open meetings to discuss the topic and gather public feedback. ESRB 13 modifies General Order 167 by requiring increased oversight, thereby providing enhanced safety to the public. The CPUC passed the measure.

e. Governor's Actions and Executive Orders:

- March 27 California urges FEMA to add businesses, non-profits, and multi-family structures to the Los Angeles fire debris cleanup.
- March 27 Governor Newsom signed an executive order to build Los Angeles back faster and prevent fires.
- March 20 Engaged California -engaged.ca.gov went live, and sign-ups soared as thousands joined the conversation on California's new deliberative democracy platform.
- March 18 Governor Newsom and Los Angeles community-based organizations announced \$25 million to advance educational outreach to workers and businesses about vital health, safety, and workplace protections.
- March 13 Governor Newsom announces expanded partnership with NASA's Jet Propulsion Laboratory to monitor air and water using cutting-edge technologies.
- March 7 The Federal Emergency Management Agency has extended the deadline for survivors of the Los Angeles fires to register for federal aid to March 31.
- March 7 Governor Newsom issued an executive order extending protections to help ensure that Los Angeles firestorm survivors can access rental housing.
- March 1 Governor Newsom proclaimed a state of emergency to fast-track critical projects protecting communities from wildfire, ahead of peak fire season.
- f. State Bill/Issues Track: See attached.