

Legislative Report

John LaTorra October 2018

Note: This is my final report for the 2017/2018 two-year legislative session, which has ended.

Bills Chaptered or died in 2017 were removed from this list. Each bill will be noted as:

D-Died, the bill was held in committee or did not pass both houses (Assembly and Senate) before the deadline in August

V- Vetoed by the Governor. Although vetoes can be overturned by the legislature, it rarely happens

C- Chaptered, the bill was either signed by the Governor or he took no action prior to the September 30, 2018 deadline. Chaptered bills are effective on the following January 1 unless declared urgency. Governor Jerry Brown was working late on Sunday night September 30 acting on bills. The last bill he signed, Governor Brown indicated he was heading to his home in Colusa, probably a zero-net-energy home...or Class K housing. You had to have been around in the early 1970's to remember the old occupancy designations and Governor Moonbeam. I have the utmost respect for Governor Jerry Brown and appreciate all his work on behalf of the area, our state, and nation. He has been a positive influence on the world. Recent amendments and the chaptered bill numbers are shown in **bold**.

AB64 **D**- Cannabis licensure, **held in committee, see also AB 2929 and AB 2980**

AB345 **D**- increases the maximum fine for municipal code violations to \$300/500/1,000; for building code violations to \$500/750/1,500; amended to voluntary income tax for disaster assistance; amended now to **air pollution exemption on low-mileage diesel vehicles**

AB366 **D**- allows a permit to be issued for a detached dwelling unit on at least 5 acres where water is delivered by a licensed water hauler and fire response time is no more than 15 (or 20 for > 10 acres) minutes. **Hijacked**, now fee recovery in civil actions; **now child abuse reporting**

AB565 C- requires **HCD to submit** alternative building regulations to include provisions for housing artists, artisans, and other similarly situated individuals, **live/work units**

AB735 **D**- requires AED for public pools with lifeguards

AB807 C- **year-round daylight-saving time decision submitted to voters**

AB1000 **D**- limitations on the transfer of groundwater

AB1250 **D**- specific standards for county personal services contracts

AB1489 **D**- **Architect is not responsible for damage caused by construction deviating from the plans**

AB1668 C- **55 gallon/person urban indoor water use target in 2025, 52.5 in 2030. Linked to SB606**

AB1766 C- **AED required at public pools that are required to have lifeguard services**

AB1796 C- **lessor required to approve EV charging station request, except if parking not provided, there are less than 5 spaces, or already 10% EV spaces, lessee pays costs**

AB1857 **V**- requires CBSC to assemble a **17-member working group to consider by July 1, 2022 whether a functional recovery building standard is warranted. CA Geological Survey and ICC added to the list**

AB1870 **V**- **extend filing period to 3 years for unlawful employment or housing complaints**

AB1919 C- during a Governor declaration of emergency, goods and services, including rental housing, limited to a 10% increase

AB2069 D- medical use of cannabis subject to reasonable accommodation. Can fire for being under the influence at the workplace or if potential to lose federal funding.

AB2108 D- **Hijacked, must be at least 12 years old to play tackle football. Pulled**

AB2132 C- authorizes waiving or reducing building permit fees for improvements to accommodate a disability for a person at least 60 with a qualifying **physical or mental** disability.

AB2164 C- **illegal cultivation of cannabis, allows a local ordinance to impose immediate administrative fines for violations of codes**

AB2263 C- **for qualified historic residential use structures, within ½ mile of major transit stop, no additional parking required; for nonres, 25% reduction in required parking.**

AB2343 C- 10 days wait on eviction notices, **back to 3 days wait on serving eviction notice, not counting Sat, Sun, or judicial holidays**

AB2384 V- **medical insurance shall include substance abuse treatment for opioids**

AB2475 D- **requires Dept. of General Services to review every 5 years existing sustainability, energy efficiency, and water efficiency for landscapes of state-owned properties.**

AB2482 D- **permits an individual to work up to a 10-hour/day work schedule without requiring overtime pay**

AB2485 C- prohibits a **local official** from being accompanied on an inspection of a commercial property **or business** by a financially interested individual, **unless owner, agent for owner, existing contract with jurisdiction, or contractor on agency list.**

AB2495 C- prohibits charging defendant for costs of investigation, prosecution, and appeal

AB2560 D- imposes a tax from 6-10% on prison construction contracts. The taxes are deposited with the State Department of Education for early intervention programs at pre- and after-school programs

AB2598 C- increases fines to \$130, \$700 for 2nd violation, and \$1,300 for subsequent violations of the same ordinance within one year

AB2681 V- **upon identification of funding by OES**, requires the Building Department to create an inventory of potentially vulnerable buildings and submit the inventory to OES for buildings constructed **prior to adoption of 1976 UBC**; or the building is a **URM, concrete buildings with nonductile lateral force resisting system, or soft, weak, or open front walls at floor level; or 1995 CBC or earlier steel buildings with moment frame, concrete or masonry buildings with flexible diaphragms, or buildings with precast, prestressed, or post-tensioned concrete.**

Exempt- 1-4 dwelling units, manufactured home, OSHPD or DSA regulated, state, or federal buildings. Applies to areas with 0.3 ground acceleration

AB2890 D- **prohibits applying lot coverage, minimum lot size, and FAR standards to ADU's. Allows at least 800 square foot ADU, 16' in height**

AB2911 C- requires the State Fire Marshal to recommend building standards and a list of low-cost retrofits to protect structures from fires spreading, **include tree removal or pruning; deleted that utility shall maintain vegetation clearances**

AB2913 C- provides that a building permit would remain valid if the work commences within **1 year** of its issuance, 180-day extension(s); **operative until 1/1/24**

AB2927 C- **amend for California Earthquake Authority insurance and tax requirements**

AB2939 **D**- requires ministerial approval of building permits for ADU's, permits unlimited number of ADU's in multi-dwelling zoned areas, with 5 units or more

AB2994 **V**- requires **DSA to propose the number of required ambulatory accessible toilet stalls. A place of public amusement constructed after 1/1/25 shall include an ambulatory accessible toilet compartment complying with the most recent California Code**

AB3001 **D**- requires Energy Commission to consider greenhouse emissions from fossil fuel combustion in the cost-effectiveness analysis, zero net emissions from natural gas/propane;

AB3002 C- requires local jurisdiction to make available a notice regarding disability access; in **specified languages. DSA to provide model notice; refers to the section on business licenses**

AB3170 **D**- **sales tax exemption on water efficiency landscape products for the Saturday preceding the last Monday in March**

ACR283 C- **the second week of October to be Code Enforcement Officer Appreciation Week**

SB71 **D**- requires BSC and CEC to adopt regulations requiring solar electric or solar thermal systems. **Amend to now deal with unauthorized removal (stealing) of solid waste**

SB431 **D**- authorizes a local building inspector to waive requirements for a maximum five-year period for illegal ADU's constructed prior to 1/1/2008; requires jurisdiction to adopt ordinance.

SB606 C- **urban retail water suppliers shall calculate water use objective. Linked to AB1668**

SB721 C- requires the inspection of decks, balconies, and elevated walkways (3 or more units) by an architect, civil engineer, structural engineer, certified **building** inspector, building official (not employed by the jurisdiction **while performing the inspection**), **a class A, B, or C-5**

contractor for a minimum of 5 years. Not apply to common interest developments. Suggest 180 days vs 120 to complete the repairs, CALBO working with sponsor

SB827 **D**- transit rich housing development exempt from density, FAR, parking, and height limitations (up to 55' or 85' depending on street width). **Failed, probably dead**

SB831 **D**- ADU's not counted in FAR, not a new dwelling for impact fees including school district, offstreet parking not required even if converting a garage, approved if not processed in **60** days.

Requires Building Official to approve at least 10-year delay in enforcing codes if not Health & Safety. ADU's exempt from lot coverage standards, permits at least an 800 sq ft ADU.

SB969 C- requires garage door openers to have battery backup for new and replacement openers **after 7/1/19**

SB1226 C- allows a jurisdiction to determine the date of construction for a non-permitted **residential unit** and apply the code requirements in effect at the time of that determined date.

Declaratory of existing law. Note: see oppose position paper I prepared.

SB1397 C- requires AED for specified existing structures for permits **\$50,000 or 2,000 or 3,000** square foot alterations; all assembly, auditoriums, and movie theaters

SB1405 **D**- spot bill for future Ghost Ship requirements

SB1415 **V**- **F, H, and S occupancy structures shall be inspected every 5 years. Health Officer may declare substandard; recognizes appointment of receivership**

SB1416 **V**- **authorize local jurisdiction until 1/1/24 to collect fines for nuisance abatement and require fines to be used for enforcement of state and local building and fire codes, including a revolving fund for rehabilitating substandard housing.**