



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

7C

AGENDA REPORT
 Business | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Priscilla Mumpower, Assistant Executive Officer
 Joelle Burila, Analyst I

SUBJECT: Legislative Report

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report summarizing legislative items of interest related to the Commission’s regulatory and planning responsibilities. The report specifically highlights seven bills with potential material implications for LAFCOs, including two measures - AB 356 and AB 448 - that directly involve the Palomar Healthcare District. This item is presented for discussion and potential action, including the option to approve formal positions on one or more of the proposed bills.

BACKGROUND

Legislative Resources and Current Legislative Deadlines

San Diego LAFCO actively engages with CALAFCO, the Southern Region Association of LAFCOs, and the California Special Districts Association in monitoring and responding to legislative developments that may impact the Commission’s ability to fulfill its regulatory and planning responsibilities. The current two-year legislative session reconvened on January 6, 2025 with February 21, 2025 serving as the deadline to introduce new bills. All measures must pass their house of origin by June 6, 2025 and receive approval from the second house by September 12, 2025.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 www.sdlafco.org lafco@sdcountry.ca.gov</p>	<p>Joel Anderson County of San Diego</p> <p>Jim Desmond County of San Diego</p> <p>Vacant, Alt. County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann, Alt. City of Chula Vista</p>	<p>Chair Stephen Whitburn City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Vice Chair Barry Willis Alpine Fire Protection</p> <p>Jo MacKenzie Vista Irrigation</p> <p>David A. Drake, Alt. Rincon del Diablo</p>	<p>Vacant General Public</p> <p>Brigitte Browning, Alt. General Public</p>
--	---	--	--	--	--

DISCUSSION

This item is presented for San Diego LAFCO to receive a report summarizing legislative proposals under consideration during the current session that may affect - directly or indirectly - the Commission's regulatory and planning responsibilities. The highlighted bills below pertain to local governance and transparency, healthcare service delivery, and regional coordination efforts, both statewide and within San Diego County. The report is provided for discussion with potential action on associated staff recommendations.

Highlighted Bills

- **AB 259 (Rubio, Blanca)**
Open Meetings and Continued Access to Teleconferences
This bill would extend the authorization for legislative bodies of local agencies – including LAFCOs – to use modified teleconferencing procedures during declared emergencies through January 1, 2030. It preserves existing requirements related to public notice and agenda posting while allowing remote participation under defined emergency conditions. San Diego LAFCO adopted a support position on March 2, 2025. The bill passed the Assembly on May 5, 2025.
- **AB 351 (McKinnor, Tina)**
Campaign Contributions Involving Agency Officers
This bill proposes to raise the contribution limit for agency officers involved in permit or license proceedings under the Political Reform Act from \$500 to \$1,500. It also provides for future adjustments tied to inflation, based on changes in the Consumer Price Index. Although not the target of the bill, it is possible certain LAFCO actions - such as out-of-agency service approvals - could apply. The bill failed to pass out of committee on April 30, 2025; however, a motion for reconsideration was granted.
- **SB 489 (Arreguín, Jesse Gabriel)**
LAFCO Public Records and Online Access
This bill would require all LAFCOs to post specified documents online, including boundary change application materials, hearing notices, and associated supporting documentation. The bill seeks to improve public access to government records at LAFCO in digital formats and expands procedural obligations by mandating the adoption and online posting of written policies and procedures. San Diego LAFCO is already compliant with most of the proposed requirements and anticipates minimal operational impact. However, it is known CALAFCO is actively monitoring the bill for amendments that could affect implementation timelines or create additional fiscal burdens - particularly for smaller or rural LAFCOs. On May 12, 2025 the committee read the bill for the second time and ordered a third reading at the next scheduled committee meeting.

- **SB 740 (Rubio, Susan)**
Municipal Wastewater Filings with LAFCOs
This bill proposes extending the deadline for municipal wastewater agencies to notify LAFCOs of new or amended agreements related to stormwater management services from 30 days to 40 days. The intent is to provide agencies with additional administrative flexibility in meeting statutory reporting requirements. The bill was approved by the Senate Local Government Committee on April 3, 2025, and is currently awaiting review by the Senate Environmental Quality Committee.
- **SB 777 (Richardson, Laura)**
Expanding LAFCOs Role to Include Endowment-Funded Cemeteries
This bill proposes to require LAFCOs to identify a local agency to assume ownership and ongoing maintenance for abandoned endowment-funded cemeteries in step with proposed noticing requirements of the Cemetery and Funeral Bureau. The designated local agency would acquire title to the cemetery as well as assume control of any existing endowment care funds. The bill raises concerns for LAFCOs due to the lack of jurisdiction over privately owned cemeteries and the absence of procedural guidance. CALAFCO and several LAFCOs have raised objections including Los Angeles LAFCO recently adopting an oppose position. On May 23, 2025 the committee read the bill for the second time and ordered a third reading at the next scheduled committee meeting.
- **AB 356 (Patel, Darshana)**
Health Care Districts in Northern San Diego County
This bill would establish a state-directed working group to evaluate healthcare access in northern San Diego County with a focus on the service area of the Palomar Healthcare District. The working group would include representatives from select healthcare districts and other stakeholders but notably excludes San Diego LAFCO. The working group is required to report its findings to the Legislature by June 1, 2026. The bill's provisions are set to sunset in 2030. Palomar has submitted formal opposition, citing concerns that the bill duplicates LAFCO's ongoing municipal service review and could impose unnecessary administrative burdens. LAFCO staff has expressed similar observations in discussions with the author's office and indicated interest in participating in the working group should the bill advance. The bill is currently on hold in the Assembly Appropriations Committee. The Commission may wish to consider adopting a formal position or directing the Executive Officer to submit a comment letter expressing the Commission's interests and presumptive support should the bill be amended to include LAFCO in the working group.
- **AB 448 (Patel, Darshana)**
Extend Loan Repayments for Palomar Healthcare District
This bill would authorize the State Treasurer's Office to extend - and if necessary, restructure - a previously issued bridge loan to the Palomar Healthcare District for cashflow purposes. The proposed extension is intended to provide Palomar with additional administrative flexibility to fulfill its repayment obligations to the State of

California while continuing to provide essential healthcare services to the surrounding community. In consultation with the Executive Officer and at the request of the author, Chair Whitburn submitted a letter of support in his capacity as Commission Chair ahead of the Assembly Committee on Health hearing on April 29, 2025. The bill subsequently passed out of the Health Committee and is currently on hold in the Assembly Appropriations Committee. The Commission may wish to consider adopting a formal position in support of the bill and directing the Executive Officer to submit a corresponding letter of support.

ANALYSIS

All seven bills outlined in the preceding section warrant monitoring by San Diego LAFCO. Staff believes two bills - AB 356 and AB 448, both authored by local Assemblymember Patel - stand out in terms of significance and merit formal positions. Notably, both bills address operational matters related to the Palomar Healthcare District, albeit through different approaches. AB 356 seeks to provide added flexibility to Palomar by authorizing the State Treasurer's Office to extend and, if needed, restructure an existing bridge loan. This provision is intended to support Palomar's financial stability and ongoing ability to deliver essential healthcare services. Staff recommends a formal support position for AB 356 given its consistency with the Commission's interest in ensuring Palomar's long-term viability and service continuity. AB 448, by contrast, proposes the creation of a state-convened working group to evaluate healthcare access within Palomar's jurisdiction. While the bill aligns with regional planning priorities, the proposed structure notably excludes LAFCO despite the Commission's statutory role in overseeing healthcare districts' service areas and performance. Staff recommends a position of support if amended for AB 448 to encourage inclusion of San Diego LAFCO in the working group. This amendment would promote alignment with the Commission's ongoing municipal service review and ensure the effort complements, rather than duplicates, existing statutory planning responsibilities.

RECOMMENDATION

It is recommended the San Diego LAFCO approve positions on AB 356 and AB 448 consistent with Alternative One as outlined in the preceding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

- (a) Approve a support position for AB 356 as currently drafted.
- (b) Approve a support if amended position for AB 448 as currently drafted to expand the proposed working group tasked with reviewing healthcare needs in North County to include San Diego LAFCO.

Alternative Two:

Make one or more positions on current legislation and provide related direction to staff as specified by the Commission.

Alternative Three:

Take no action.

PROCEDURES

This item has been placed on San Diego LAFCO's agenda for discussion and potential action as part of the business calendar. The following procedures are recommended in consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Invite comments from interested audience members, if any.
- 3) Discuss the item and consider the recommendation and/or other alternatives.

On behalf of staff,



Joelle Burila
Analyst I

Attachments:

- 1) Highlighted Assembly and Senate Bill Texts (California Legislature 2025-2026 Regular Session)

Blank for Photocopying

AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 259

Introduced by Assembly Member Blanca Rubio

January 16, 2025

An act to amend and repeal Sections 54953 and 54954.2 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 259, as amended, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public.

Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified

requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would ~~remove the January 1, 2026, date from those provisions, thereby extending~~ *extend* the alternative teleconferencing procedures ~~indefinitely.~~ *until January 1, 2030.*

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would ~~remove the January 1, 2026, date from that provision, thereby extending~~ *extend* the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above ~~indefinitely.~~ *until January 1, 2030.*

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory

enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54953 of the Government Code, as
2 amended by Section 1 of Chapter 389 of the Statutes of 2024, is
3 amended to read:

4 54953. (a) All meetings of the legislative body of a local
5 agency shall be open and public, and all persons shall be permitted
6 to attend any meeting of the legislative body of a local agency,
7 except as otherwise provided in this chapter.

8 (b) (1) Notwithstanding any other provision of law, the
9 legislative body of a local agency may use teleconferencing for
10 the benefit of the public and the legislative body of a local agency
11 in connection with any meeting or proceeding authorized by law.
12 The teleconferenced meeting or proceeding shall comply with all
13 otherwise applicable requirements of this chapter and all otherwise
14 applicable provisions of law relating to a specific type of meeting
15 or proceeding.

16 (2) Teleconferencing, as authorized by this section, may be used
17 for all purposes in connection with any meeting within the subject
18 matter jurisdiction of the legislative body. If the legislative body
19 of a local agency elects to use teleconferencing, the legislative
20 body of a local agency shall comply with all of the following:

21 (A) All votes taken during a teleconferenced meeting shall be
22 by rollcall.

23 (B) The teleconferenced meetings shall be conducted in a
24 manner that protects the statutory and constitutional rights of the
25 parties or the public appearing before the legislative body of a
26 local agency.

27 (C) The legislative body shall give notice of the meeting and
28 post agendas as otherwise required by this chapter.

29 (D) The legislative body shall allow members of the public to
30 access the meeting and the agenda shall provide an opportunity

1 for members of the public to address the legislative body directly
2 pursuant to Section 54954.3.

3 (3) If the legislative body of a local agency elects to use
4 teleconferencing, it shall post agendas at all teleconference
5 locations. Each teleconference location shall be identified in the
6 notice and agenda of the meeting or proceeding, and each
7 teleconference location shall be accessible to the public. During
8 the teleconference, at least a quorum of the members of the
9 legislative body shall participate from locations within the
10 boundaries of the territory over which the local agency exercises
11 jurisdiction, except as provided in subdivisions (d) and (e).

12 (c) (1) No legislative body shall take action by secret ballot,
13 whether preliminary or final.

14 (2) The legislative body of a local agency shall publicly report
15 any action taken and the vote or abstention on that action of each
16 member present for the action.

17 (3) Prior to taking final action, the legislative body shall orally
18 report a summary of a recommendation for a final action on the
19 salaries, salary schedules, or compensation paid in the form of
20 fringe benefits of a local agency executive, as defined in
21 subdivision (d) of Section 3511.1, during the open meeting in
22 which the final action is to be taken. This paragraph shall not affect
23 the public's right under the California Public Records Act (Division
24 10 (commencing with Section 7920.000) of Title 1) to inspect or
25 copy records created or received in the process of developing the
26 recommendation.

27 (d) (1) Notwithstanding the provisions relating to a quorum in
28 paragraph (3) of subdivision (b), if a health authority conducts a
29 teleconference meeting, members who are outside the jurisdiction
30 of the authority may be counted toward the establishment of a
31 quorum when participating in the teleconference if at least 50
32 percent of the number of members that would establish a quorum
33 are present within the boundaries of the territory over which the
34 authority exercises jurisdiction, and the health authority provides
35 a teleconference number, and associated access codes, if any, that
36 allows any person to call in to participate in the meeting and the
37 number and access codes are identified in the notice and agenda
38 of the meeting.

39 (2) Nothing in this subdivision shall be construed as
40 discouraging health authority members from regularly meeting at

1 a common physical site within the jurisdiction of the authority or
2 from using teleconference locations within or near the jurisdiction
3 of the authority. A teleconference meeting for which a quorum is
4 established pursuant to this subdivision shall be subject to all other
5 requirements of this section.

6 (3) For purposes of this subdivision, a health authority means
7 any entity created pursuant to Sections 14018.7, 14087.31,
8 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
9 and Institutions Code, any joint powers authority created pursuant
10 to Article 1 (commencing with Section 6500) of Chapter 5 of
11 Division 7 for the purpose of contracting pursuant to Section
12 14087.3 of the Welfare and Institutions Code, and any advisory
13 committee to a county-sponsored health plan licensed pursuant to
14 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
15 Health and Safety Code if the advisory committee has 12 or more
16 members.

17 (e) (1) The legislative body of a local agency may use
18 teleconferencing without complying with the requirements of
19 paragraph (3) of subdivision (b) if the legislative body complies
20 with the requirements of paragraph (2) of this subdivision in either
21 of the following circumstances:

22 (A) The legislative body holds a meeting during a proclaimed
23 state of emergency for the purpose of determining, by majority
24 vote, whether as a result of the emergency, meeting in person
25 would present imminent risks to the health or safety of attendees.

26 (B) The legislative body holds a meeting during a proclaimed
27 state of emergency and has determined, by majority vote, pursuant
28 to subparagraph (A), that, as a result of the emergency, meeting
29 in person would present imminent risks to the health or safety of
30 attendees.

31 (2) A legislative body that holds a meeting pursuant to this
32 subdivision shall do all of the following:

33 (A) In each instance in which notice of the time of the
34 teleconferenced meeting is otherwise given or the agenda for the
35 meeting is otherwise posted, the legislative body shall also give
36 notice of the means by which members of the public may access
37 the meeting and offer public comment. The agenda shall identify
38 and include an opportunity for all persons to attend via a call-in
39 option or an internet-based service option.

1 (B) In the event of a disruption that prevents the legislative body
2 from broadcasting the meeting to members of the public using the
3 call-in option or internet-based service option, or in the event of
4 a disruption within the local agency's control that prevents
5 members of the public from offering public comments using the
6 call-in option or internet-based service option, the legislative body
7 shall take no further action on items appearing on the meeting
8 agenda until public access to the meeting via the call-in option or
9 internet-based service option is restored. Actions taken on agenda
10 items during a disruption that prevents the legislative body from
11 broadcasting the meeting may be challenged pursuant to Section
12 54960.1.

13 (C) The legislative body shall not require public comments to
14 be submitted in advance of the meeting and must provide an
15 opportunity for the public to address the legislative body and offer
16 comment in real time.

17 (D) Notwithstanding Section 54953.3, an individual desiring to
18 provide public comment through the use of an internet website, or
19 other online platform, not under the control of the local legislative
20 body, that requires registration to log in to a teleconference may
21 be required to register as required by the third-party internet
22 website or online platform to participate.

23 (E) (i) A legislative body that provides a timed public comment
24 period for each agenda item shall not close the public comment
25 period for the agenda item, or the opportunity to register, pursuant
26 to subparagraph (D), to provide public comment until that timed
27 public comment period has elapsed.

28 (ii) A legislative body that does not provide a timed public
29 comment period, but takes public comment separately on each
30 agenda item, shall allow a reasonable amount of time per agenda
31 item to allow public members the opportunity to provide public
32 comment, including time for members of the public to register
33 pursuant to subparagraph (D), or otherwise be recognized for the
34 purpose of providing public comment.

35 (iii) A legislative body that provides a timed general public
36 comment period that does not correspond to a specific agenda item
37 shall not close the public comment period or the opportunity to
38 register, pursuant to subparagraph (D), until the timed general
39 public comment period has elapsed.

1 (3) If a state of emergency remains active, in order to continue
2 to teleconference without compliance with paragraph (3) of
3 subdivision (b), the legislative body shall, not later than 45 days
4 after teleconferencing for the first time pursuant to subparagraph
5 (A) or (B) of paragraph (1), and every 45 days thereafter, make
6 the following findings by majority vote:

7 (A) The legislative body has reconsidered the circumstances of
8 the state of emergency.

9 (B) The state of emergency continues to directly impact the
10 ability of the members to meet safely in person.

11 (4) This subdivision shall not be construed to require the
12 legislative body to provide a physical location from which the
13 public may attend or comment.

14 (f) (1) The legislative body of a local agency may use
15 teleconferencing without complying with paragraph (3) of
16 subdivision (b) if, during the teleconference meeting, at least a
17 quorum of the members of the legislative body participates in
18 person from a singular physical location clearly identified on the
19 agenda, which location shall be open to the public and situated
20 within the boundaries of the territory over which the local agency
21 exercises jurisdiction and the legislative body complies with all
22 of the following:

23 (A) The legislative body shall provide at least one of the
24 following as a means by which the public may remotely hear and
25 visually observe the meeting, and remotely address the legislative
26 body:

27 (i) A two-way audiovisual platform.

28 (ii) A two-way telephonic service and a live webcasting of the
29 meeting.

30 (B) In each instance in which notice of the time of the
31 teleconferenced meeting is otherwise given or the agenda for the
32 meeting is otherwise posted, the legislative body shall also give
33 notice of the means by which members of the public may access
34 the meeting and offer public comment.

35 (C) The agenda shall identify and include an opportunity for all
36 persons to attend and address the legislative body directly pursuant
37 to Section 54954.3 via a call-in option, via an internet-based service
38 option, and at the in-person location of the meeting.

39 (D) In the event of a disruption that prevents the legislative body
40 from broadcasting the meeting to members of the public using the

1 call-in option or internet-based service option, or in the event of
2 a disruption within the local agency's control that prevents
3 members of the public from offering public comments using the
4 call-in option or internet-based service option, the legislative body
5 shall take no further action on items appearing on the meeting
6 agenda until public access to the meeting via the call-in option or
7 internet-based service option is restored. Actions taken on agenda
8 items during a disruption that prevents the legislative body from
9 broadcasting the meeting may be challenged pursuant to Section
10 54960.1.

11 (E) The legislative body shall not require public comments to
12 be submitted in advance of the meeting and must provide an
13 opportunity for the public to address the legislative body and offer
14 comment in real time.

15 (F) Notwithstanding Section 54953.3, an individual desiring to
16 provide public comment through the use of an internet website, or
17 other online platform, not under the control of the local legislative
18 body, that requires registration to log in to a teleconference may
19 be required to register as required by the third-party internet
20 website or online platform to participate.

21 (2) A member of the legislative body shall only participate in
22 the meeting remotely pursuant to this subdivision, if all of the
23 following requirements are met:

24 (A) One of the following circumstances applies:

25 (i) The member notifies the legislative body at the earliest
26 opportunity possible, including at the start of a regular meeting,
27 of their need to participate remotely for just cause, including a
28 general description of the circumstances relating to their need to
29 appear remotely at the given meeting. The provisions of this clause
30 shall not be used by any member of the legislative body for more
31 than two meetings per calendar year.

32 (ii) The member requests the legislative body to allow them to
33 participate in the meeting remotely due to emergency circumstances
34 and the legislative body takes action to approve the request. The
35 legislative body shall request a general description of the
36 circumstances relating to their need to appear remotely at the given
37 meeting. A general description of an item generally need not exceed
38 20 words and shall not require the member to disclose any medical
39 diagnosis or disability, or any personal medical information that
40 is already exempt under existing law, such as the Confidentiality

1 of Medical Information Act (Chapter 1 (commencing with Section
2 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes
3 of this clause, the following requirements apply:

4 (I) A member shall make a request to participate remotely at a
5 meeting pursuant to this clause as soon as possible. The member
6 shall make a separate request for each meeting in which they seek
7 to participate remotely.

8 (II) The legislative body may take action on a request to
9 participate remotely at the earliest opportunity. If the request does
10 not allow sufficient time to place proposed action on such a request
11 on the posted agenda for the meeting for which the request is made,
12 the legislative body may take action at the beginning of the meeting
13 in accordance with paragraph (4) of subdivision (b) of Section
14 54954.2.

15 (B) The member shall publicly disclose at the meeting before
16 any action is taken, whether any other individuals 18 years of age
17 or older are present in the room at the remote location with the
18 member, and the general nature of the member's relationship with
19 any such individuals.

20 (C) The member shall participate through both audio and visual
21 technology.

22 (3) (A) The provisions of this subdivision shall not serve as a
23 means for any member of a legislative body to participate in
24 meetings of the legislative body solely by teleconference from a
25 remote location for more than the following number of meetings,
26 as applicable:

27 (i) Two meetings per year, if the legislative body regularly meets
28 once per month or less.

29 (ii) Five meetings per year, if the legislative body regularly
30 meets twice per month.

31 (iii) Seven meetings per year, if the legislative body regularly
32 meets three or more times per month.

33 (B) For the purpose of counting meetings attended by
34 teleconference under this paragraph, a "meeting" shall be defined
35 as any number of meetings of the legislative body of a local agency
36 that begin on the same calendar day.

37 (g) The legislative body shall have and implement a procedure
38 for receiving and swiftly resolving requests for reasonable
39 accommodation for individuals with disabilities, consistent with
40 the federal Americans with Disabilities Act of 1990 (42 U.S.C.

1 Sec. 12132), and resolving any doubt in favor of accessibility. In
2 each instance in which notice of the time of the meeting is
3 otherwise given or the agenda for the meeting is otherwise posted,
4 the legislative body shall also give notice of the procedure for
5 receiving and resolving requests for accommodation.

6 (h) The legislative body shall conduct meetings subject to this
7 chapter consistent with applicable civil rights and
8 nondiscrimination laws.

9 (i) (1) Nothing in this section shall prohibit a legislative body
10 from providing the public with additional teleconference locations.

11 (2) Nothing in this section shall prohibit a legislative body from
12 providing the public with additional physical locations in which
13 the public may observe and address the legislative body by
14 electronic means.

15 (j) For the purposes of this section, the following definitions
16 shall apply:

17 (1) “Emergency circumstances” means a physical or family
18 medical emergency that prevents a member from attending in
19 person.

20 (2) “Just cause” means any of the following:

21 (A) A childcare or caregiving need of a child, parent,
22 grandparent, grandchild, sibling, spouse, or domestic partner that
23 requires them to participate remotely. “Child,” “parent,”
24 “grandparent,” “grandchild,” and “sibling” have the same meaning
25 as those terms do in Section 12945.2.

26 (B) A contagious illness that prevents a member from attending
27 in person.

28 (C) A need related to a physical or mental disability as defined
29 in Sections 12926 and 12926.1 not otherwise accommodated by
30 subdivision (g).

31 (D) Travel while on official business of the legislative body or
32 another state or local agency.

33 (3) “Remote location” means a location from which a member
34 of a legislative body participates in a meeting pursuant to
35 subdivision (f), other than any physical meeting location designated
36 in the notice of the meeting. Remote locations need not be
37 accessible to the public.

38 (4) “Remote participation” means participation in a meeting by
39 teleconference at a location other than any physical meeting
40 location designated in the notice of the meeting. Watching or

1 listening to a meeting via webcasting or another similar electronic
2 medium that does not permit members to interactively hear,
3 discuss, or deliberate on matters, does not constitute remote
4 participation.

5 (5) “State of emergency” means a state of emergency proclaimed
6 pursuant to Section 8625 of the California Emergency Services
7 Act (Article 1 (commencing with Section 8550) of Chapter 7 of
8 Division 1 of Title 2).

9 (6) “Teleconference” means a meeting of a legislative body,
10 the members of which are in different locations, connected by
11 electronic means, through either audio or video, or both.

12 (7) “Two-way audiovisual platform” means an online platform
13 that provides participants with the ability to participate in a meeting
14 via both an interactive video conference and a two-way telephonic
15 function.

16 (8) “Two-way telephonic service” means a telephone service
17 that does not require internet access, is not provided as part of a
18 two-way audiovisual platform, and allows participants to dial a
19 telephone number to listen and verbally participate.

20 (9) “Webcasting” means a streaming video broadcast online or
21 on television, using streaming media technology to distribute a
22 single content source to many simultaneous listeners and viewers.

23 (k) *This section shall remain in effect only until January 1, 2030,*
24 *and as of that date is repealed.*

25 ~~SEC. 2. Section 54953 of the Government Code, as amended~~
26 ~~by Section 2 of Chapter 534 of the Statutes of 2023, is repealed.~~

27 *SEC. 2. Section 54953 of the Government Code, as amended*
28 *by Section 2 of Chapter 534 of the Statutes of 2023, is amended*
29 *to read:*

30 54953. (a) All meetings of the legislative body of a local
31 agency shall be open and public, and all persons shall be permitted
32 to attend any meeting of the legislative body of a local agency,
33 except as otherwise provided in this chapter.

34 (b) (1) Notwithstanding any other provision of law, the
35 legislative body of a local agency may use teleconferencing for
36 the benefit of the public and the legislative body of a local agency
37 in connection with any meeting or proceeding authorized by law.
38 The teleconferenced meeting or proceeding shall comply with all
39 otherwise applicable requirements of this chapter and all otherwise

1 applicable provisions of law relating to a specific type of meeting
 2 or proceeding.

3 (2) Teleconferencing, as authorized by this section, may be used
 4 for all purposes in connection with any meeting within the subject
 5 matter jurisdiction of the legislative body. If the legislative body
 6 of a local agency elects to use teleconferencing, the legislative
 7 body of a local agency shall comply with all of the following:

8 (A) All votes taken during a teleconferenced meeting shall be
 9 by rollcall.

10 (B) The teleconferenced meetings shall be conducted in a
 11 manner that protects the statutory and constitutional rights of the
 12 parties or the public appearing before the legislative body of a
 13 local agency.

14 (C) The legislative body shall give notice of the meeting and
 15 post agendas as otherwise required by this chapter.

16 (D) The legislative body shall allow members of the public to
 17 access the meeting and the agenda shall provide an opportunity
 18 for members of the public to address the legislative body directly
 19 pursuant to Section 54954.3.

20 (3) If the legislative body of a local agency elects to use
 21 teleconferencing, it shall post agendas at all teleconference
 22 locations. Each teleconference location shall be identified in the
 23 notice and agenda of the meeting or proceeding, and each
 24 teleconference location shall be accessible to the public. During
 25 the teleconference, at least a quorum of the members of the
 26 legislative body shall participate from locations within the
 27 boundaries of the territory over which the local agency exercises
 28 jurisdiction, except as provided in subdivisions (d) and (e).

29 (c) (1) No legislative body shall take action by secret ballot,
 30 whether preliminary or final.

31 (2) The legislative body of a local agency shall publicly report
 32 any action taken and the vote or abstention on that action of each
 33 member present for the action.

34 (3) Prior to taking final action, the legislative body shall orally
 35 report a summary of a recommendation for a final action on the
 36 salaries, salary schedules, or compensation paid in the form of
 37 fringe benefits of a local agency executive, as defined in
 38 subdivision (d) of Section 3511.1, during the open meeting in
 39 which the final action is to be taken. This paragraph shall not affect
 40 the public's right under the California Public Records Act (Division

1 10 (commencing with Section 7920.000) of Title 1) to inspect or
2 copy records created or received in the process of developing the
3 recommendation.

4 (d) (1) Notwithstanding the provisions relating to a quorum in
5 paragraph (3) of subdivision (b), if a health authority conducts a
6 teleconference meeting, members who are outside the jurisdiction
7 of the authority may be counted toward the establishment of a
8 quorum when participating in the teleconference if at least 50
9 percent of the number of members that would establish a quorum
10 are present within the boundaries of the territory over which the
11 authority exercises jurisdiction, and the health authority provides
12 a teleconference number, and associated access codes, if any, that
13 allows any person to call in to participate in the meeting and the
14 number and access codes are identified in the notice and agenda
15 of the meeting.

16 (2) Nothing in this subdivision shall be construed as
17 discouraging health authority members from regularly meeting at
18 a common physical site within the jurisdiction of the authority or
19 from using teleconference locations within or near the jurisdiction
20 of the authority. A teleconference meeting for which a quorum is
21 established pursuant to this subdivision shall be subject to all other
22 requirements of this section.

23 (3) For purposes of this subdivision, a health authority means
24 any entity created pursuant to Sections 14018.7, 14087.31,
25 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
26 and Institutions Code, any joint powers authority created pursuant
27 to Article 1 (commencing with Section 6500) of Chapter 5 of
28 Division 7 for the purpose of contracting pursuant to Section
29 14087.3 of the Welfare and Institutions Code, and any advisory
30 committee to a county-sponsored health plan licensed pursuant to
31 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
32 Health and Safety Code if the advisory committee has 12 or more
33 members.

34 (e) (1) The legislative body of a local agency may use
35 teleconferencing without complying with the requirements of
36 paragraph (3) of subdivision (b) if the legislative body complies
37 with the requirements of paragraph (2) of this subdivision in either
38 of the following circumstances:

39 (A) The legislative body holds a meeting during a proclaimed
40 state of emergency for the purpose of determining, by majority

1 vote, whether as a result of the emergency, meeting in person
2 would present imminent risks to the health or safety of attendees.

3 (B) The legislative body holds a meeting during a proclaimed
4 state of emergency and has determined, by majority vote, pursuant
5 to subparagraph (A), that, as a result of the emergency, meeting
6 in person would present imminent risks to the health or safety of
7 attendees.

8 (2) A legislative body that holds a meeting pursuant to this
9 subdivision shall do all of the following:

10 (A) In each instance in which notice of the time of the
11 teleconferenced meeting is otherwise given or the agenda for the
12 meeting is otherwise posted, the legislative body shall also give
13 notice of the means by which members of the public may access
14 the meeting and offer public comment. The agenda shall identify
15 and include an opportunity for all persons to attend via a call-in
16 option or an internet-based service option.

17 (B) In the event of a disruption that prevents the legislative body
18 from broadcasting the meeting to members of the public using the
19 call-in option or internet-based service option, or in the event of
20 a disruption within the local agency's control that prevents
21 members of the public from offering public comments using the
22 call-in option or internet-based service option, the legislative body
23 shall take no further action on items appearing on the meeting
24 agenda until public access to the meeting via the call-in option or
25 internet-based service option is restored. Actions taken on agenda
26 items during a disruption that prevents the legislative body from
27 broadcasting the meeting may be challenged pursuant to Section
28 54960.1.

29 (C) The legislative body shall not require public comments to
30 be submitted in advance of the meeting and must provide an
31 opportunity for the public to address the legislative body and offer
32 comment in real time.

33 (D) Notwithstanding Section 54953.3, an individual desiring to
34 provide public comment through the use of an internet website, or
35 other online platform, not under the control of the local legislative
36 body, that requires registration to log in to a teleconference may
37 be required to register as required by the third-party internet
38 website or online platform to participate.

39 (E) (i) A legislative body that provides a timed public comment
40 period for each agenda item shall not close the public comment

1 period for the agenda item, or the opportunity to register, pursuant
2 to subparagraph (D), to provide public comment until that timed
3 public comment period has elapsed.

4 (ii) A legislative body that does not provide a timed public
5 comment period, but takes public comment separately on each
6 agenda item, shall allow a reasonable amount of time per agenda
7 item to allow public members the opportunity to provide public
8 comment, including time for members of the public to register
9 pursuant to subparagraph (D), or otherwise be recognized for the
10 purpose of providing public comment.

11 (iii) A legislative body that provides a timed general public
12 comment period that does not correspond to a specific agenda item
13 shall not close the public comment period or the opportunity to
14 register, pursuant to subparagraph (D), until the timed general
15 public comment period has elapsed.

16 (3) If a state of emergency remains active, in order to continue
17 to teleconference without compliance with paragraph (3) of
18 subdivision (b), the legislative body shall, not later than 45 days
19 after teleconferencing for the first time pursuant to subparagraph
20 (A) or (B) of paragraph (1), and every 45 days thereafter, make
21 the following findings by majority vote:

22 (A) The legislative body has reconsidered the circumstances of
23 the state of emergency.

24 (B) The state of emergency continues to directly impact the
25 ability of the members to meet safely in person.

26 (4) This subdivision shall not be construed to require the
27 legislative body to provide a physical location from which the
28 public may attend or comment.

29 (f) The legislative body shall have and implement a procedure
30 for receiving and swiftly resolving requests for reasonable
31 accommodation for individuals with disabilities, consistent with
32 the federal Americans with Disabilities Act of 1990 (42 U.S.C.
33 Sec. 12132), and resolving any doubt in favor of accessibility. In
34 each instance in which notice of the time of the meeting is
35 otherwise given or the agenda for the meeting is otherwise posted,
36 the legislative body shall also give notice of the procedure for
37 receiving and resolving requests for accommodation.

38 (g) The legislative body shall conduct meetings subject to this
39 chapter consistent with applicable civil rights and
40 nondiscrimination laws.

1 (h) (1) Nothing in this section shall prohibit a legislative body
2 from providing the public with additional teleconference locations.

3 (2) Nothing in this section shall prohibit a legislative body from
4 providing the public with additional physical locations in which
5 the public may observe and address the legislative body by
6 electronic means.

7 (i) For the purposes of this section, the following definitions
8 shall apply:

9 (1) “State of emergency” means a state of emergency proclaimed
10 pursuant to Section 8625 of the California Emergency Services
11 Act (Article 1 (commencing with Section 8550) of Chapter 7 of
12 Division 1 of Title 2).

13 (2) “Teleconference” means a meeting of a legislative body,
14 the members of which are in different locations, connected by
15 electronic means, through either audio or video, or both.

16 (j) This section shall become operative January 1, ~~2026~~ 2030.

17 SEC. 3. Section 54954.2 of the Government Code, as amended
18 by Section 91 of Chapter 131 of the Statutes of 2023, is amended
19 to read:

20 54954.2. (a) (1) At least 72 hours before a regular meeting,
21 the legislative body of the local agency, or its designee, shall post
22 an agenda containing a brief general description of each item of
23 business to be transacted or discussed at the meeting, including
24 items to be discussed in closed session. A brief general description
25 of an item generally need not exceed 20 words. The agenda shall
26 specify the time and location of the regular meeting and shall be
27 posted in a location that is freely accessible to members of the
28 public and on the local agency’s internet website, if the local
29 agency has one. If requested, the agenda shall be made available
30 in appropriate alternative formats to persons with a disability, as
31 required by Section 202 of the Americans with Disabilities Act of
32 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
33 adopted in implementation thereof. The agenda shall include
34 information regarding how, to whom, and when a request for
35 disability-related modification or accommodation, including
36 auxiliary aids or services, may be made by a person with a
37 disability who requires a modification or accommodation in order
38 to participate in the public meeting.

39 (2) For a meeting occurring on and after January 1, 2019, of a
40 legislative body of a city, county, city and county, special district,

1 school district, or political subdivision established by the state that
2 has an internet website, the following provisions shall apply:

3 (A) An online posting of an agenda shall be posted on the
4 primary internet website home page of a city, county, city and
5 county, special district, school district, or political subdivision
6 established by the state that is accessible through a prominent,
7 direct link to the current agenda. The direct link to the agenda shall
8 not be in a contextual menu; however, a link in addition to the
9 direct link to the agenda may be accessible through a contextual
10 menu.

11 (B) An online posting of an agenda, including, but not limited
12 to, an agenda posted in an integrated agenda management platform,
13 shall be posted in an open format that meets all of the following
14 requirements:

15 (i) Retrievable, downloadable, indexable, and electronically
16 searchable by commonly used internet search applications.

17 (ii) Platform independent and machine readable.

18 (iii) Available to the public free of charge and without any
19 restriction that would impede the reuse or redistribution of the
20 agenda.

21 (C) A legislative body of a city, county, city and county, special
22 district, school district, or political subdivision established by the
23 state that has an internet website and an integrated agenda
24 management platform shall not be required to comply with
25 subparagraph (A) if all of the following are met:

26 (i) A direct link to the integrated agenda management platform
27 shall be posted on the primary internet website home page of a
28 city, county, city and county, special district, school district, or
29 political subdivision established by the state. The direct link to the
30 integrated agenda management platform shall not be in a contextual
31 menu. When a person clicks on the direct link to the integrated
32 agenda management platform, the direct link shall take the person
33 directly to an internet website with the agendas of the legislative
34 body of a city, county, city and county, special district, school
35 district, or political subdivision established by the state.

36 (ii) The integrated agenda management platform may contain
37 the prior agendas of a legislative body of a city, county, city and
38 county, special district, school district, or political subdivision
39 established by the state for all meetings occurring on or after
40 January 1, 2019.

- 1 (iii) The current agenda of the legislative body of a city, county,
2 city and county, special district, school district, or political
3 subdivision established by the state shall be the first agenda
4 available at the top of the integrated agenda management platform.
- 5 (iv) All agendas posted in the integrated agenda management
6 platform shall comply with the requirements in clauses (i), (ii),
7 and (iii) of subparagraph (B).
- 8 (D) For the purposes of this paragraph, both of the following
9 definitions shall apply:
 - 10 (i) “Integrated agenda management platform” means an internet
11 website of a city, county, city and county, special district, school
12 district, or political subdivision established by the state dedicated
13 to providing the entirety of the agenda information for the
14 legislative body of the city, county, city and county, special district,
15 school district, or political subdivision established by the state to
16 the public.
 - 17 (ii) “Legislative body” has the same meaning as that term is
18 used in subdivision (a) of Section 54952.
- 19 (E) The provisions of this paragraph shall not apply to a political
20 subdivision of a local agency that was established by the legislative
21 body of the city, county, city and county, special district, school
22 district, or political subdivision established by the state.
- 23 (3) No action or discussion shall be undertaken on any item not
24 appearing on the posted agenda, except that members of a
25 legislative body or its staff may briefly respond to statements made
26 or questions posed by persons exercising their public testimony
27 rights under Section 54954.3. In addition, on their own initiative
28 or in response to questions posed by the public, a member of a
29 legislative body or its staff may ask a question for clarification,
30 make a brief announcement, or make a brief report on their own
31 activities. Furthermore, a member of a legislative body, or the
32 body itself, subject to rules or procedures of the legislative body,
33 may provide a reference to staff or other resources for factual
34 information, request staff to report back to the body at a subsequent
35 meeting concerning any matter, or take action to direct staff to
36 place a matter of business on a future agenda.
- 37 (b) Notwithstanding subdivision (a), the legislative body may
38 take action on items of business not appearing on the posted agenda
39 under any of the conditions stated below. Prior to discussing any

1 item pursuant to this subdivision, the legislative body shall publicly
2 identify the item.

3 (1) Upon a determination by a majority vote of the legislative
4 body that an emergency situation exists, as defined in Section
5 54956.5.

6 (2) Upon a determination by a two-thirds vote of the members
7 of the legislative body present at the meeting, or, if less than
8 two-thirds of the members are present, a unanimous vote of those
9 members present, that there is a need to take immediate action and
10 that the need for action came to the attention of the local agency
11 subsequent to the agenda being posted as specified in subdivision
12 (a).

13 (3) The item was posted pursuant to subdivision (a) for a prior
14 meeting of the legislative body occurring not more than five
15 calendar days prior to the date action is taken on the item, and at
16 the prior meeting the item was continued to the meeting at which
17 action is being taken.

18 (4) To consider action on a request from a member to participate
19 in a meeting remotely due to emergency circumstances, pursuant
20 to Section 54953, if the request does not allow sufficient time to
21 place the proposed action on the posted agenda for the meeting
22 for which the request is made. The legislative body may approve
23 such a request by a majority vote of the legislative body.

24 (c) This section is necessary to implement and reasonably within
25 the scope of paragraph (1) of subdivision (b) of Section 3 of Article
26 I of the California Constitution.

27 (d) For purposes of subdivision (a), the requirement that the
28 agenda be posted on the local agency's internet website, if the
29 local agency has one, shall only apply to a legislative body that
30 meets either of the following standards:

31 (1) A legislative body as that term is defined by subdivision (a)
32 of Section 54952.

33 (2) A legislative body as that term is defined by subdivision (b)
34 of Section 54952, if the members of the legislative body are
35 compensated for their appearance, and if one or more of the
36 members of the legislative body are also members of a legislative
37 body as that term is defined by subdivision (a) of Section 54952.

38 (e) *This section shall remain in effect only until January 1, 2030,*
39 *and as of that date is repealed.*

1 ~~SEC. 4. Section 54954.2 of the Government Code, as amended~~
2 ~~by Section 92 of Chapter 131 of the Statutes of 2023, is repealed.~~

3 *SEC. 4. Section 54954.2 of the Government Code, as amended*
4 *by Section 92 of Chapter 131 of the Statutes of 2023, is amended*
5 *to read:*

6 54954.2. (a) (1) At least 72 hours before a regular meeting,
7 the legislative body of the local agency, or its designee, shall post
8 an agenda containing a brief general description of each item of
9 business to be transacted or discussed at the meeting, including
10 items to be discussed in closed session. A brief general description
11 of an item generally need not exceed 20 words. The agenda shall
12 specify the time and location of the regular meeting and shall be
13 posted in a location that is freely accessible to members of the
14 public and on the local agency’s internet website, if the local
15 agency has one. If requested, the agenda shall be made available
16 in appropriate alternative formats to persons with a disability, as
17 required by Section 202 of the Americans with Disabilities Act of
18 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
19 adopted in implementation thereof. The agenda shall include
20 information regarding how, to whom, and when a request for
21 disability-related modification or accommodation, including
22 auxiliary aids or services, may be made by a person with a
23 disability who requires a modification or accommodation in order
24 to participate in the public meeting.

25 (2) For a meeting occurring on and after January 1, 2019, of a
26 legislative body of a city, county, city and county, special district,
27 school district, or political subdivision established by the state that
28 has an internet website, the following provisions shall apply:

29 (A) An online posting of an agenda shall be posted on the
30 primary internet website home page of a city, county, city and
31 county, special district, school district, or political subdivision
32 established by the state that is accessible through a prominent,
33 direct link to the current agenda. The direct link to the agenda shall
34 not be in a contextual menu; however, a link in addition to the
35 direct link to the agenda may be accessible through a contextual
36 menu.

37 (B) An online posting of an agenda, including, but not limited
38 to, an agenda posted in an integrated agenda management platform,
39 shall be posted in an open format that meets all of the following
40 requirements:

1 (i) Retrievable, downloadable, indexable, and electronically
2 searchable by commonly used internet search applications.

3 (ii) Platform independent and machine readable.

4 (iii) Available to the public free of charge and without any
5 restriction that would impede the reuse or redistribution of the
6 agenda.

7 (C) A legislative body of a city, county, city and county, special
8 district, school district, or political subdivision established by the
9 state that has an internet website and an integrated agenda
10 management platform shall not be required to comply with
11 subparagraph (A) if all of the following are met:

12 (i) A direct link to the integrated agenda management platform
13 shall be posted on the primary internet website home page of a
14 city, county, city and county, special district, school district, or
15 political subdivision established by the state. The direct link to the
16 integrated agenda management platform shall not be in a contextual
17 menu. When a person clicks on the direct link to the integrated
18 agenda management platform, the direct link shall take the person
19 directly to an internet website with the agendas of the legislative
20 body of a city, county, city and county, special district, school
21 district, or political subdivision established by the state.

22 (ii) The integrated agenda management platform may contain
23 the prior agendas of a legislative body of a city, county, city and
24 county, special district, school district, or political subdivision
25 established by the state for all meetings occurring on or after
26 January 1, 2019.

27 (iii) The current agenda of the legislative body of a city, county,
28 city and county, special district, school district, or political
29 subdivision established by the state shall be the first agenda
30 available at the top of the integrated agenda management platform.

31 (iv) All agendas posted in the integrated agenda management
32 platform shall comply with the requirements in clauses (i), (ii),
33 and (iii) of subparagraph (B).

34 (D) For the purposes of this paragraph, both of the following
35 definitions shall apply:

36 (i) “Integrated agenda management platform” means an internet
37 website of a city, county, city and county, special district, school
38 district, or political subdivision established by the state dedicated
39 to providing the entirety of the agenda information for the
40 legislative body of the city, county, city and county, special district,

1 school district, or political subdivision established by the state to
2 the public.

3 (ii) “Legislative body” has the same meaning as that term is
4 used in subdivision (a) of Section 54952.

5 (E) The provisions of this paragraph shall not apply to a political
6 subdivision of a local agency that was established by the legislative
7 body of the city, county, city and county, special district, school
8 district, or political subdivision established by the state.

9 (3) No action or discussion shall be undertaken on any item not
10 appearing on the posted agenda, except that members of a
11 legislative body or its staff may briefly respond to statements made
12 or questions posed by persons exercising their public testimony
13 rights under Section 54954.3. In addition, on their own initiative
14 or in response to questions posed by the public, a member of a
15 legislative body or its staff may ask a question for clarification,
16 make a brief announcement, or make a brief report on their own
17 activities. Furthermore, a member of a legislative body, or the
18 body itself, subject to rules or procedures of the legislative body,
19 may provide a reference to staff or other resources for factual
20 information, request staff to report back to the body at a subsequent
21 meeting concerning any matter, or take action to direct staff to
22 place a matter of business on a future agenda.

23 (b) Notwithstanding subdivision (a), the legislative body may
24 take action on items of business not appearing on the posted agenda
25 under any of the conditions stated below. Prior to discussing any
26 item pursuant to this subdivision, the legislative body shall publicly
27 identify the item.

28 (1) Upon a determination by a majority vote of the legislative
29 body that an emergency situation exists, as defined in Section
30 54956.5.

31 (2) Upon a determination by a two-thirds vote of the members
32 of the legislative body present at the meeting, or, if less than
33 two-thirds of the members are present, a unanimous vote of those
34 members present, that there is a need to take immediate action and
35 that the need for action came to the attention of the local agency
36 subsequent to the agenda being posted as specified in subdivision
37 (a).

38 (3) The item was posted pursuant to subdivision (a) for a prior
39 meeting of the legislative body occurring not more than five
40 calendar days prior to the date action is taken on the item, and at

1 the prior meeting the item was continued to the meeting at which
2 action is being taken.

3 (c) This section is necessary to implement and reasonably within
4 the scope of paragraph (1) of subdivision (b) of Section 3 of Article
5 I of the California Constitution.

6 (d) For purposes of subdivision (a), the requirement that the
7 agenda be posted on the local agency's internet website, if the
8 local agency has one, shall only apply to a legislative body that
9 meets either of the following standards:

10 (1) A legislative body as that term is defined by subdivision (a)
11 of Section 54952.

12 (2) A legislative body as that term is defined by subdivision (b)
13 of Section 54952, if the members of the legislative body are
14 compensated for their appearance, and if one or more of the
15 members of the legislative body are also members of a legislative
16 body as that term is defined by subdivision (a) of Section 54952.

17 (e) This section shall become operative January 1, ~~2026~~ 2030.

18 SEC. 5. The Legislature finds and declares that Sections 1 and
19 2 of this act, which amend and repeal Section 54953 of the
20 Government Code, and Sections 3 and 4 of this act, which amend
21 and repeal Section 54954.2 of the Government Code, impose a
22 limitation on the public's right of access to the meetings of public
23 bodies or the writings of public officials and agencies within the
24 meaning of Section 3 of Article I of the California Constitution.
25 Pursuant to that constitutional provision, the Legislature makes
26 the following findings to demonstrate the interest protected by this
27 limitation and the need for protecting that interest:

28 By extending the alternative teleconferencing procedure
29 provisions and provisions relating to requests from members to
30 participate in those meetings remotely due to emergency
31 ~~circumstances indefinitely~~, *circumstances*, this act allows for
32 greater accessibility to, and public participation in, teleconference
33 meetings while preserving the public's right to access information
34 concerning the conduct of the people's business.

35 SEC. 6. The Legislature finds and declares that Sections 1 and
36 2 of this act, which amend and repeal Section 54953 of the
37 Government Code, and Sections 3 and 4 of this act, which amend
38 and repeal Section 54954.2 of the Government Code, further,
39 within the meaning of paragraph (7) of subdivision (b) of Section
40 3 of Article I of the California Constitution, the purposes of that

1 constitutional section as it relates to the right of public access to
2 the meetings of local public bodies or the writings of local public
3 officials and local agencies. Pursuant to paragraph (7) of
4 subdivision (b) of Section 3 of Article I of the California
5 Constitution, the Legislature makes the following findings:

6 This act is necessary to ensure greater accessibility to, and public
7 participation in, teleconference meetings.

O

ASSEMBLY BILL

No. 351

Introduced by Assembly Member McKinnor

January 30, 2025

An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 351, as introduced, McKinnor. Campaign contributions: agency officers.

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$500 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. The act also prohibits an officer of an agency from making, participating in making, or in any way attempting to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution of more than \$500 within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent, if the officer knows or has reason to know that the participant has a financial interest in the decision, as defined.

This bill would increase the contribution thresholds described above from \$500 to \$1500. The bill would require the commission to adjust these contribution thresholds to reflect any increase or decrease in the

Consumer Price Index beginning January, 2027, and in January of each odd-numbered year thereafter, as specified.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a 2/3 vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84308 of the Government Code is
2 amended to read:

3 84308. (a) The definitions set forth in this subdivision shall
4 govern the interpretation of this section.

5 (1) “Party” means any person who files an application for, or
6 is the subject of, a proceeding involving a license, permit, or other
7 entitlement for use.

8 (2) “Participant” means any person who is not a party but who
9 actively supports or opposes a particular decision in a proceeding
10 involving a license, permit, or other entitlement for use and who
11 has a financial interest in the decision, as described in Article 1
12 (commencing with Section 87100) of Chapter 7. A person actively
13 supports or opposes a particular decision in a proceeding if that
14 person lobbies in person the officers or employees of the agency,
15 testifies in person before the agency, or otherwise acts to influence
16 officers of the agency. A person is not a “participant” under this
17 paragraph if their financial interest in the decision results solely
18 from an increase or decrease in membership dues.

19 (3) “Agency” means an agency as defined in Section 82003
20 except that it does not include the courts or any agency in the
21 judicial branch of government, the Legislature, the Board of
22 Equalization, or constitutional officers. However, this section
23 applies to any person who is a member of an exempted agency but
24 is acting as a voting member of another agency.

25 (4) “Officer” means any elected or appointed officer of an
26 agency, any alternate to an elected or appointed officer of an
27 agency, and any candidate for elective office in an agency, other
28 than a city attorney or county counsel providing legal advice to

1 the agency who does not have the authority to make a final decision
2 in the proceeding.

3 (5) (A) Except as provided in subparagraph (B), “license,
4 permit, or other entitlement for use” means all business,
5 professional, trade, and land use licenses and permits and all other
6 entitlements for use, including all entitlements for land use, all
7 contracts, and all franchises.

8 (B) “License, permit, or other entitlement for use” does not
9 include any of the following:

10 (i) Competitively bid contracts that are required by law, agency
11 policy, or agency rule to be awarded pursuant to a competitive
12 process.

13 (ii) Labor contracts.

14 (iii) Personal employment contracts.

15 (iv) Contracts valued under fifty thousand dollars (\$50,000).

16 (v) Contracts where no party receives financial compensation.

17 (vi) Contracts between two or more agencies.

18 (vii) The periodic review or renewal of development agreements
19 unless there is a material modification or amendment proposed to
20 the agreement. Non-material modifications or amendments may
21 be approved by agency staff.

22 (viii) The periodic review or renewal of competitively bid
23 contracts unless there are material modifications or amendments
24 proposed to the agreement that are valued at more than 10 percent
25 of the value of the contract or fifty thousand dollars (\$50,000),
26 whichever is less. Non-material modifications or amendments may
27 be approved by agency staff.

28 (ix) Modification of or amendments to contracts that are exempt
29 under this subparagraph, other than competitively bid contracts.

30 (6) “Contribution” includes contributions to candidates and
31 committees in federal, state, or local elections.

32 (7) “Pending” in a proceeding involving a license, permit, or
33 other entitlement for use means either of the following:

34 (A) For an officer, when either of the following occurs:

35 (i) An item involving the license, permit, or other entitlement
36 for use is placed on the agenda for discussion or decision at a public
37 meeting of the body of which the officer is a member.

38 (ii) The officer knows a proceeding involving a license, permit,
39 or other entitlement for use is within the jurisdiction of the officer’s
40 agency for its decision or other action, and it is reasonably

1 foreseeable that the decision will come before the officer in the
2 officer’s decisionmaking capacity.

3 (B) For a party or party’s agent, or a participant or participant’s
4 agent, when an application is filed with an agency, or, if the
5 proceeding process does not require an application, when the
6 proceeding is before the agency for its decision or other action.

7 (b) (1) While a proceeding involving a license, permit, or other
8 entitlement for use is pending, and for 12 months following the
9 date a final decision is rendered in the proceeding, an officer of
10 an agency shall not accept, solicit, or direct a contribution of more
11 than ~~five hundred dollars (\$500)~~ *one thousand five hundred dollars*
12 *(\$1,500)* from any party or a party’s agent, or from any participant
13 or a participant’s agent if the officer knows or has reason to know
14 that the participant has a financial interest, as that term is used in
15 Article 1 (commencing with Section 87100) of Chapter 7. This
16 prohibition applies regardless of whether the officer accepts,
17 solicits, or directs the contribution on the officer’s own behalf, or
18 on behalf of any other officer, or on behalf of any candidate for
19 office or on behalf of any committee.

20 (2) With respect to elected officers, paragraph (1) applies only
21 if the elected officer or the body of which they are a member has
22 the authority to make any decision or recommendation in the
23 proceeding.

24 (c) (1) Before rendering any decision in a proceeding involving
25 a license, permit, or other entitlement for use, each officer of the
26 agency who received a contribution within the preceding 12 months
27 in an amount of more than ~~five hundred dollars (\$500)~~ *one*
28 *thousand five hundred dollars (\$1,500)* from a party or from any
29 participant shall disclose that fact on the record of the proceeding.
30 An officer of an agency shall not make, participate in making, or
31 in any way attempt to use the officer’s official position to influence
32 the decision in a proceeding involving a license, permit, or other
33 entitlement for use if the officer has willfully or knowingly received
34 a contribution in an amount of more than ~~five hundred dollars~~
35 ~~(\$500)~~ *one thousand five hundred dollars (\$1,500)* within the
36 preceding 12 months from a party or a party’s agent, or from any
37 participant or a participant’s agent if the officer knows or has
38 reason to know that the participant has a financial interest in the
39 decision, as that term is described with respect to public officials
40 in Article 1 (commencing with Section 87100) of Chapter 7.

1 (2) With respect to elected officers, paragraph (1) applies only
2 if the elected officer or the body of which they are a member has
3 the authority to make any decision or recommendation in the
4 proceeding.

5 (d) (1) If an officer receives a contribution that would otherwise
6 require disqualification under this section, and returns the
7 contribution within 30 days from the time the officer makes any
8 decision, or knows, or should have known, about the contribution
9 and the proceeding involving a license, permit, or other entitlement
10 for use, whichever comes last, the officer shall be permitted to
11 participate in the proceeding.

12 (2) (A) Subject to subparagraph (B), if an officer accepts,
13 solicits, or directs a contribution of more than ~~five hundred dollars~~
14 ~~(\$500)~~ *one thousand five hundred dollars (\$1,500)* during the 12
15 months after the date the final decision is rendered in violation of
16 subdivision (b), the officer may cure the violation by returning the
17 contribution, or the portion of the contribution in excess of ~~five~~
18 ~~hundred dollars (\$500)~~, *one thousand five hundred dollars*
19 *(\$1,500)*, within 30 days of accepting, soliciting, or directing the
20 contribution, whichever comes latest.

21 (B) An officer may cure a violation as specified in subparagraph
22 (A) only if the officer did not knowingly and willfully accept,
23 solicit, or direct the prohibited contribution.

24 (C) An officer's controlled committee, or the officer if no
25 controlled committee exists, shall maintain records of curing any
26 violation pursuant to this paragraph.

27 (e) (1) A party to a proceeding before an agency involving a
28 license, permit, or other entitlement for use shall disclose on the
29 record of the proceeding any contribution in an amount of more
30 than ~~five hundred dollars (\$500)~~ *one thousand five hundred dollars*
31 *(\$1,500)* made within the preceding 12 months before the date that
32 any decision is rendered by the agency by the party or the party's
33 agent.

34 (2) A party to a proceeding involving a license, permit, or other
35 entitlement for use pending before any agency or a participant in
36 the proceeding shall not make a contribution of more than ~~five~~
37 ~~hundred dollars (\$500)~~ *one thousand five hundred dollars (\$1,500)*
38 to any officer of that agency during the proceeding and for 12
39 months following the date the final decision is rendered by the
40 agency in the proceeding.

1 (3) An agent to a party or participant shall not make a
 2 contribution in any amount to an officer during the time periods
 3 described in paragraph (2).

4 (4) When a closed corporation is a party to, or a participant in,
 5 a proceeding involving a license, permit, or other entitlement for
 6 use pending before an agency, the majority shareholder is subject
 7 to the disclosure and prohibition requirements specified in this
 8 section.

9 (f) This section shall not be construed to imply that any
 10 contribution subject to being reported under this title shall not be
 11 so reported.

12 (g) For the purposes of this section, in determining whether a
 13 contribution has exceeded ~~five hundred dollars (\$500)~~, *one*
 14 *thousand five hundred dollars (\$1,500)*, the contributions of an
 15 agent shall not be aggregated with contributions from a party or
 16 participant.

17 (h) *Beginning on January, 2027, and in January of every*
 18 *odd-numbered year thereafter, the commission shall adjust the*
 19 *contribution limitations in this section to reflect any increase or*
 20 *decrease in the Consumer Price Index, rounded to the nearest ten*
 21 *dollars (\$10).*

22 ~~(h)~~

23 (i) (1) A person is the “agent” of a party to, or a participant in,
 24 a pending proceeding involving a license, permit, or other
 25 entitlement for use only if the person represents that party or
 26 participant for compensation and appears before or otherwise
 27 communicates with an agency for the purpose of influencing the
 28 proceeding on behalf of a party or participant.

29 (2) If an individual acting as an agent is also acting as an
 30 employee or member of a law, architectural, engineering, or
 31 consulting firm, or a similar entity or corporation, both the entity
 32 or corporation and the individual are “agents.”

33 (3) “Agent” includes a lobbyist registered to lobby the agency
 34 and who otherwise meets the requirements of paragraph (1).

35 (4) “Communicate with the agency for the purpose of
 36 influencing the proceeding” does not include either of the
 37 following:

38 (A) Preparing drawings or submissions of an architectural,
 39 engineering, or similar nature for a client to submit in a proceeding
 40 before the agency if both of the following conditions are met:

1 (i) The work is performed pursuant to the person’s profession.

2 (ii) The person does not make any contact with the agency other
3 than contact with agency staff concerning the process or evaluation
4 of the documents prepared by the person.

5 (B) Providing technical data or analysis to an agency if the
6 person does not otherwise engage in direct communication for the
7 purpose of influencing the proceeding.

8 ~~(i)~~

9 (j) (1) Except as provided in paragraph (2), the provisions of
10 this act are severable. If any provision of this act or its application
11 is held invalid, that invalidity shall not affect other provisions or
12 applications that can be given effect without the invalid provision
13 or application.

14 (2) Subdivision (g) is not severable from paragraph (3) of
15 subdivision (e) if paragraph (3) of subdivision (e) is held invalid
16 in a final decision of a court of competent jurisdiction. If that
17 occurs, subdivision (g) shall become inoperative on the date of
18 that final decision.

19 SEC. 2. The Legislature finds and declares that this bill furthers
20 the purposes of the Political Reform Act of 1974 within the
21 meaning of subdivision (a) of Section 81012 of the Government
22 Code.

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL

No. 489

Introduced by Senator Arreguín

February 19, 2025

An act to amend Sections ~~65940, 65950, and 65953~~ 56300, 65928, and 65940 of the Government Code, relating to ~~housing~~ local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 489, as amended, Arreguín. *Local agency formation commissions: written policies and procedures: Permit Streamlining Act: housing development projects.*

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts and establishes a local agency formation commission in each county consisting of members appointed as provided. The act expresses the intent of the Legislature that each local agency formation commission, by January 1, 2002, establish written policies and procedures and exercise its powers in a way that encourages and provides planned, well-ordered, efficient urban development patterns, as specified. The act requires these written policies and procedures to include forms to be used for various submittals to the commission, as provided. The act requires each commission to provide access to notices and other information to the public on an internet website, as specified, including notice of all public hearings and commission meetings.

This bill would require that each local agency formation commission establish the written policies and procedures described above. The bill

would require that the written policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. The bill would require each commission to provide access to its written policies and procedures to the public, including any forms necessary for a complete application for a change of organization or reorganization, through its internet website.

~~The~~

(2) *The Permit Streamlining Act* requires a public agency to compile a list of the information required from an applicant for a development project, as provided, and, until January 1, 2030, specifies that a development project for purposes of this requirement includes a housing development project, as defined. The act defines various terms for its purposes, including, among others, a “development project,” which is generally defined as any project undertaken for the purpose of development, excluding ministerial projects proposed to be carried out or approved by public agencies.

This bill would revise the definition of “development project” for purposes of the act to include a housing development project, as defined by specified other law that includes in that definition, notwithstanding the above-described exclusion for ministerial projects, projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals. The bill would make a conforming change in the above-described requirement to compile the above-described list by deleting the specification that a development project includes a housing development project. The bill, until January 1, 2030, would also require a public agency, for each approval issued in connection with a housing development project, to publish online the above-described list, including the criteria that the public agency will apply in order to determine the completeness of the development application and the name of the approval, as provided. ~~The bill would revise the definition of “housing development project” for these purposes to include (1) an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district and (2) a change of organization or reorganization, as those terms are defined for purposes of specified law governing the initiation, conduct, and completion of changes of organization and reorganization for cities and districts.~~

~~The Permit Streamlining Act requires a public agency that is a lead agency to approve or disapprove a project within specified time periods. Among these time periods, until January 1, 2030, the act requires a public agency to approve a development project, defined for these purposes as a housing development project, defined by cross-reference to specified law, within 90 days from the date of certification by the lead agency of the environmental impact report, or 60 days from the date of certification by the lead agency of the environmental impact report if certain conditions are met, as provided.~~

~~This bill, until January 1, 2030, would revise the definition of “housing development project” for purposes of these time periods to include an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district.~~

~~The Permit Streamlining Act specifies that the time limits specified under its provisions are maximum time limits for approving or disapproving development projects, and requires all public agencies, if possible, to approve or disapprove development projects in shorter periods of time.~~

~~This bill would define “development project” for purposes of these provisions to include a housing development project. The bill would define a “housing development project” for these purposes to mean a use consisting of residential units only; mixed-use developments consisting of residential and nonresidential uses that meet specified conditions; transitional housing or supportive housing; or farmworker housing, as defined.~~

~~By~~

~~(3) By increasing the duties of local agency formation commissions in establishing and publishing written policies and procedures and of local planning officials in reviewing permit applications for housing development projects, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.~~

The people of the State of California do enact as follows:

1 SECTION 1. Section 56300 of the Government Code is
2 amended to read:

3 56300. (a) ~~It is the intent of the Legislature that each~~
4 ~~commission, not later than January 1, 2002, Each commission~~ shall
5 establish written policies and procedures and exercise its powers
6 pursuant to this part in a manner consistent with those policies and
7 procedures and that encourages and provides planned, well-ordered,
8 efficient urban development patterns with appropriate consideration
9 of preserving open-space and agricultural lands within those
10 patterns.

11 (b) Each commission with a proposal pending on January 1,
12 2001, shall, by March 31, 2001, hold a public hearing to discuss
13 the adoption of policies and procedures to require the disclosure
14 of contributions, expenditures, and independent expenditures
15 authorized by Section 56100.1. Reporting requirements adopted
16 pursuant to this section shall be effective upon the date of adoption
17 or a later date specified in the resolution. Any commission that
18 does not have a proposal pending on January 1, 2001, shall hold
19 a public hearing to discuss the adoption of those policies and
20 procedures within 90 days of submission of a proposal or at any
21 time prior to submission of a proposal. Once a hearing has taken
22 place under this subdivision, no subsequent hearing shall be
23 required except by petition of 100 or more registered voters
24 residing in the county in which the commission is located.

25 (c) A commission may require, through the adoption of written
26 policies and procedures, lobbying disclosure and reporting
27 requirements for persons who attempt to influence pending
28 decisions by commission members, staff, or consultants. Disclosure
29 shall be made either to the commission's executive officer, in
30 which case it shall be posted on the ~~commission Web site,~~
31 *commission's internet website*, if applicable, or to the recorder,
32 registrar of voters, or clerk of the board of supervisors of the county
33 in which the commission is located. Each commission that on
34 January 1, 2001, has a pending proposal, as defined in Section
35 56069 shall, by March 31, 2001, hold a public hearing to discuss
36 the adoption of policies and procedures governing lobbying
37 disclosure authorized by this subdivision. Reporting requirements
38 adopted pursuant to this section shall be effective upon the date

1 of adoption or on a later date specified in the resolution. Any
2 commission that does not have a proposal pending on January 1,
3 2001, shall hold a public hearing to discuss the adoption of those
4 policies and procedures within 90 days of submission of a proposal,
5 or at any time prior to submission of a proposal.

6 (d) Any public hearings required by this section may be held
7 concurrently.

8 (e) The written policies and procedures adopted by the
9 commission shall include forms to be used for various submittals
10 to the commission including at a minimum a form for any protests
11 to be filed with the commission *and any forms necessary for a*
12 *complete application to the commission* concerning any proposed
13 ~~organization change.~~ *change of organization or reorganization.*

14 (f) (1) ~~On or before January 1, 2002, the~~ Each commission
15 shall establish and maintain, or otherwise provide access to ~~notices~~
16 *notices, written policies and procedures,* and other commission
17 information for the public through an ~~Internet Web site.~~ *internet*
18 *website.*

19 (2) The written policies and procedures adopted by the
20 commission shall require ~~that, to the extent that the commission~~
21 ~~maintains an Internet Web site, that~~ notice of all ~~public hearings~~
22 ~~and commission meetings~~ *public hearings, commission meetings,*
23 *and any forms necessary for a complete application for a change*
24 *of organization or reorganization* shall be made available in
25 electronic format on ~~that site.~~ *the commission's internet website.*

26 *SEC. 2. Section 65928 of the Government Code is amended to*
27 *read:*

28 65928. (a) "Development project" means any project
29 undertaken for the purpose of development. ~~"Development~~

30 (b) "Development project" includes a project involving the
31 issuance of a permit for construction or reconstruction but not a
32 permit to operate. ~~"Development~~

33 (c) *Except as provided in subdivision (d), "development project"*
34 *does not include any ministerial projects proposed to be carried*
35 *out or approved by public agencies.*

36 (d) *"Development project" includes a housing development*
37 *project, as that term is defined in paragraph (3) of subdivision (b)*
38 *of Section 65905.5.*

1 SECTION 1.

2 SEC. 3. Section 65940 of the Government Code, as amended
3 by Section 3 of Chapter 754 of the Statutes of 2023, is amended
4 to read:

5 65940. (a) (1) Each public agency shall compile one or more
6 lists that shall specify in detail the information that will be required
7 from any applicant for a development project. Each public agency
8 shall revise the list of information required from an applicant to
9 include a certification of compliance with Section 65962.5, and
10 the statement of application required by Section 65943. Copies of
11 the information, including the statement of application required
12 by Section 65943, shall be made available to all applicants for
13 development projects and to any person who requests the
14 information.

15 (2) An affected city or affected county, as defined in Section
16 66300, shall include the information necessary to determine
17 compliance with the requirements of Article 2 (commencing with
18 Section 66300.5) of Chapter 12 in the list compiled pursuant to
19 paragraph (1).

20 (b) The list of information required from any applicant shall
21 include, where applicable, identification of whether the proposed
22 project is located within 1,000 feet of a military installation,
23 beneath a low-level flight path or within special use airspace as
24 defined in Section 21098 of the Public Resources Code, and within
25 an urbanized area as defined in Section 65944.

26 (c) (1) A public agency that is not beneath a low-level flight
27 path or not within special use airspace and does not contain a
28 military installation is not required to change its list of information
29 required from applicants to comply with subdivision (b).

30 (2) A public agency that is entirely urbanized, as defined in
31 subdivision (e) of Section 65944, with the exception of a
32 jurisdiction that contains a military installation, is not required to
33 change its list of information required from applicants to comply
34 with subdivision (b).

35 (d) For each approval issued by a public agency in connection
36 with a housing development project, the list required to be
37 compiled by this section, including the criteria which the public
38 agency will apply in order to determine the completeness of an
39 application described in Section 65941, and the name of the
40 approval, shall be published online.

1 ~~(e) For purposes of this section:~~

2 ~~(1) “Development project” includes a housing development~~
3 ~~project as defined in paragraph (3) of subdivision (b) of Section~~
4 ~~65905.5.~~

5 ~~(2) “Housing development project” includes, but is not limited~~
6 ~~to, both of the following:~~

7 ~~(A) An approval issued in connection with a housing~~
8 ~~development project, including any necessary permit, review,~~
9 ~~statement, action, authorization, determination, inspection, report,~~
10 ~~clearance, agreement that is required as a condition of approval,~~
11 ~~or similar provision, except an approval that is a postentitlement~~
12 ~~phase permit, as defined in Section 65913.3, or an application from~~
13 ~~a housing development project as described in subdivision (a) of~~
14 ~~Section 65913.3.1.~~

15 ~~(B) A “change of organization,” as defined in Section 56021,~~
16 ~~or a “reorganization,” as defined in Section 56073.~~

17 ~~(f)~~

18 ~~(e) This section shall remain in effect only until January 1, 2030,~~
19 ~~and as of that date is repealed.~~

20 ~~SEC. 2.— Section 65950 of the Government Code, as amended~~
21 ~~by Section 9 of Chapter 161 of the Statutes of 2021, is amended~~
22 ~~to read:~~

23 ~~65950.—(a) A public agency that is the lead agency for a~~
24 ~~development project shall approve or disapprove the project within~~
25 ~~whichever of the following periods is applicable:~~

26 ~~(1) One hundred eighty days from the date of certification by~~
27 ~~the lead agency of the environmental impact report, if an~~
28 ~~environmental impact report is prepared pursuant to Section 21100~~
29 ~~or 21151 of the Public Resources Code for the development project.~~

30 ~~(2) Ninety days from the date of certification by the lead agency~~
31 ~~of the environmental impact report, if an environmental impact~~
32 ~~report is prepared pursuant to Section 21100 or 21151 of the Public~~
33 ~~Resources Code for a development project defined in subdivision~~
34 ~~(e).~~

35 ~~(3) Sixty days from the date of certification by the lead agency~~
36 ~~of the environmental impact report, if an environmental impact~~
37 ~~report is prepared pursuant to Section 21100 or 21151 of the Public~~
38 ~~Resources Code for a development project defined in subdivision~~
39 ~~(e) and all of the following conditions are met:~~

1 ~~(A) At least 49 percent of the units in the development project~~
2 ~~are affordable to very low or low-income households, as defined~~
3 ~~by Sections 50105 and 50079.5 of the Health and Safety Code,~~
4 ~~respectively. Rents for the lower income units shall be set at an~~
5 ~~affordable rent, as that term is defined in Section 50053 of the~~
6 ~~Health and Safety Code, for at least 30 years. Owner-occupied~~
7 ~~units shall be available at an affordable housing cost, as that term~~
8 ~~is defined in Section 50052.5 of the Health and Safety Code.~~

9 ~~(B) Prior to the application being deemed complete for the~~
10 ~~development project pursuant to Article 3 (commencing with~~
11 ~~Section 65940), the lead agency received written notice from the~~
12 ~~project applicant that an application has been made or will be made~~
13 ~~for an allocation or commitment of financing, tax credits, bond~~
14 ~~authority, or other financial assistance from a public agency or~~
15 ~~federal agency, and the notice specifies the financial assistance~~
16 ~~that has been applied for or will be applied for and the deadline~~
17 ~~for application for that assistance, the requirement that one of the~~
18 ~~approvals of the development project by the lead agency is a~~
19 ~~prerequisite to the application for or approval of the application~~
20 ~~for financial assistance, and that the financial assistance is~~
21 ~~necessary for the project to be affordable as required pursuant to~~
22 ~~subparagraph (A).~~

23 ~~(C) There is confirmation that the application has been made~~
24 ~~to the public agency or federal agency prior to certification of the~~
25 ~~environmental impact report.~~

26 ~~(4) Sixty days from the date of adoption by the lead agency of~~
27 ~~the negative declaration, if a negative declaration is completed and~~
28 ~~adopted for the development project.~~

29 ~~(5) Sixty days from the determination by the lead agency that~~
30 ~~the project is exempt from the California Environmental Quality~~
31 ~~Act (Division 13 (commencing with Section 21000) of the Public~~
32 ~~Resources Code), if the project is exempt from that act.~~

33 ~~(b) This section does not preclude a project applicant and a~~
34 ~~public agency from mutually agreeing in writing to an extension~~
35 ~~of any time limit provided by this section pursuant to Section~~
36 ~~65957.~~

37 ~~(e) For purposes of paragraphs (2) and (3) of subdivision (a)~~
38 ~~and Section 65952, “development project” means a housing~~
39 ~~development project, as defined in paragraph (3) of subdivision~~
40 ~~(b) of Section 65905.5.~~

1 ~~(d) For purposes of this section:~~

2 ~~(1) “Housing development project” includes, but is not limited~~
3 ~~to, an approval issued in connection with a housing development~~
4 ~~project, including any necessary permit, review, statement, action,~~
5 ~~authorization, determination, inspection, report, clearance,~~
6 ~~agreement that is required as a condition of approval, or similar~~
7 ~~provision, except an approval that is a postentitlement phase permit,~~
8 ~~as defined in Section 65913.3, or an application from a housing~~
9 ~~development project as described in subdivision (a) of Section~~
10 ~~65913.3.1.~~

11 ~~(2) “Lead agency” and “negative declaration” have the same~~
12 ~~meaning as defined in Sections 21067 and 21064 of the Public~~
13 ~~Resources Code, respectively.~~

14 ~~(e) This section shall remain in effect only until January 1, 2030,~~
15 ~~and as of that date is repealed.~~

16 ~~SEC. 3. Section 65953 of the Government Code is amended~~
17 ~~to read:~~

18 ~~65953. (a) All time limits specified in this article are maximum~~
19 ~~time limits for approving or disapproving development projects.~~
20 ~~All public agencies shall, if possible, approve or disapprove~~
21 ~~development projects in shorter periods of time.~~

22 ~~(b) For the purposes of this section:~~

23 ~~(1) “Development project” includes, but is not limited to, a~~
24 ~~housing development project.~~

25 ~~(2) “Housing development project” means a use consisting of~~
26 ~~any of the following:~~

27 ~~(A) Residential units only.~~

28 ~~(B) Mixed-use developments consisting of residential and~~
29 ~~nonresidential uses that meet any of the following conditions:~~

30 ~~(i) At least two-thirds of the new or converted square footage~~
31 ~~is designated for residential use.~~

32 ~~(ii) At least 50 percent of the new or converted square footage~~
33 ~~is designated for residential use and the project meets both of the~~
34 ~~following:~~

35 ~~(I) The project includes at least 500 net new residential units.~~

36 ~~(II) No portion of the project is designated for use as a hotel,~~
37 ~~motel, bed and breakfast inn, or other transient lodging, except a~~
38 ~~portion of the project may be designated for use as a residential~~
39 ~~hotel, as defined in Section 50519 of the Health and Safety Code.~~

1 (iii) ~~At least 50 percent of the net new or converted square~~
2 ~~footage is designated for residential use and the project meets all~~
3 ~~of the following:~~

4 (I) ~~The project includes at least 500 net new residential units.~~

5 (II) ~~The project involves the demolition or conversion of at least~~
6 ~~100,000 square feet of nonresidential use.~~

7 (III) ~~The project demolishes at least 50 percent of the existing~~
8 ~~nonresidential uses on the site.~~

9 (IV) ~~No portion of the project is designated for use as a hotel,~~
10 ~~motel, bed and breakfast inn, or other transient lodging, except a~~
11 ~~portion of the project may be designated for use as a residential~~
12 ~~hotel, as defined in Section 50519 of the Health and Safety Code.~~

13 (C) ~~Transitional housing or supportive housing.~~

14 (D) ~~Farmworker housing, as defined in subdivision (h) of~~
15 ~~Section 50199.7 of the Health and Safety Code.~~

16 (3) ~~“Housing development project” includes, but is not limited~~
17 ~~to, all of the following:~~

18 (A) ~~An approval issued in connection with a housing~~
19 ~~development project, including any necessary permit, review,~~
20 ~~statement, action, authorization, determination, inspection, report,~~
21 ~~clearance, agreement that is required as a condition of approval,~~
22 ~~or similar provision, except an approval that is a “postentitlement~~
23 ~~phase permit,” as defined in Section 65913.3, or an application~~
24 ~~from a housing development project, as described in subdivision~~
25 ~~(a) of Section 65913.3.1.~~

26 (B) ~~Projects that involve no discretionary approvals and projects~~
27 ~~that involve both discretionary and nondiscretionary approvals.~~

28 (C) ~~A proposal to construct a single dwelling unit. This clause~~
29 ~~shall not affect the interpretation of the scope of paragraph (2) of~~
30 ~~subdivision (h) of Section 65589.5.~~

31 SEC. 4. No reimbursement is required by this act pursuant to
32 Section 6 of Article XIII B of the California Constitution because
33 a local agency or school district has the authority to levy service
34 charges, fees, or assessments sufficient to pay for the program or
35 level of service mandated by this act, within the meaning of Section
36 17556 of the Government Code.

O

Introduced by Senator Rubio

February 21, 2025

An act to amend Section 13912 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 740, as introduced, Rubio. Municipal wastewater agency: new agreement or amendment.

Existing law authorizes a municipal wastewater agency to enter into agreements with entities responsible for stormwater management, including, but not limited to, municipal, industrial, and commercial stormwater dischargers, for the purpose of managing stormwater and dry weather runoff. Existing law requires a municipal wastewater agency, if the agency enters into a new agreement or amends an agreement pursuant to those provisions, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located within 30 days after the effective date of the new agreement or amendment.

This bill would extend that filing requirement timeline to 40 days.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13912 of the Water Code is amended to
- 2 read:
- 3 13912. (a) A municipal wastewater agency may do any of the
- 4 following:

1 (1) To the extent permitted by federal law, authorize the
2 discharge of stormwater or dry weather runoff captured at industrial
3 and commercial sites to the wastewater collection or treatment
4 system subject to any requirements that may be imposed by the
5 municipal wastewater agency or public agency that owns and
6 operates the tributary collection system.

7 (2) In order to carry out the powers granted, and the purposes
8 established, under this chapter, exercise any of the powers
9 otherwise granted to it by law, including, but not limited to,
10 enforcing compliance with local, state, and federal water quality
11 requirements through the implementation of the municipal
12 wastewater agency’s industrial pretreatment programs and ensuring
13 that the project or program is consistent with local watershed
14 priorities, obligations, and circumstances.

15 (3) Levy taxes, fees, and charges consistent with the municipal
16 wastewater agency’s existing authority in order to fund projects
17 undertaken pursuant to this chapter.

18 (b) The exercise of any new authority granted under this chapter
19 is subject to and shall comply with the Cortese-Knox-Hertzberg
20 Local Government Reorganization Act of 2000 (Division 3
21 (commencing with Section 56000) of Title 5 of the Government
22 Code).

23 (c) (1) ~~If, after January 1, 2022, If~~ a municipal wastewater
24 agency enters into a new agreement or amends an agreement
25 pursuant to this chapter, the agency shall, within ~~30~~ 40 days after
26 the effective date of the new agreement or amendment, file a copy
27 of the agreement or amendment with the local agency formation
28 commission in each county where any part of the municipal
29 wastewater agency’s territory is located.

30 (2) The local agency formation commission’s approval of an
31 agreement or an amendment to an agreement as described in
32 paragraph (1) shall not be required, except as required by
33 subdivision (b).

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 777

Introduced by Senator Richardson

February 21, 2025

An act to amend the heading of Chapter 7 (commencing with Section 8825) of *Part 3 of Division 8 of*, ~~to add Section 8749 to~~, and to add Chapter 6 (commencing with Section 8800) to Part 3 of Division 8 of, the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as amended, Richardson. Abandoned endowment care cemeteries: ~~county~~ *local agency* possession and responsibility.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of, among others, cemeteries and cemetery authorities, which includes cemetery associations, corporations sole, limited liability companies, and other persons owning or controlling cemetery lands or property. Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and to establish, maintain, and operate an endowment care fund. Ninety days following the cancellation, surrender, or revocation of a certificate of authority, existing law gives the bureau title to any endowment care funds of a cemetery authority and possession of all necessary books, records, property, real and personal, and assets, and requires the bureau to act as conservator over the management of the endowment care funds.

This bill would ~~make the~~ *require a local agency formation commission for the county in which an abandoned endowment care cemetery is located to identify a local agency to be responsible for the care,*

maintenance, and embellishment of the ~~cemetery~~; *cemetery, as specified.* The bill would vest fee title of the cemetery in the ~~county~~; *local agency* and would restrict the ~~county's local agency's~~ use of the property to *uses consistent with cemetery purposes, and would exempt the county from various provisions related to the care of active cemeteries.* *purposes.* The bill would give the ~~county~~ *local agency* title to any endowment care funds of the prior cemetery authority held by the bureau, and would require the ~~county~~ *local agency* to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund ~~within the county treasury~~ to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. *By imposing additional duties on local agencies, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 8749 is added to the Health and Safety~~
- 2 ~~Code, to read:~~
- 3 ~~8749. This article shall not apply to a county that takes title to~~
- 4 ~~an abandoned endowment care cemetery pursuant to Chapter 6~~
- 5 ~~(commencing with Section 8800).~~
- 6 ~~SEC. 2.~~
- 7 ~~SECTION 1.~~ Chapter 6 (commencing with Section 8800) is
- 8 added to Part 3 of Division 8 of the Health and Safety Code, to
- 9 read:

1 CHAPTER 6. ABANDONMENT OF ENDOWMENT CARE CEMETERIES

2
3 8800. For purposes of this chapter, “abandoned endowment
4 care cemetery” means a cemetery for which an endowment care
5 fund was maintained, that was formerly licensed by the bureau,
6 and for which the certificate of authority has been canceled,
7 surrendered, or revoked and ownership has not been transferred
8 pursuant to Section 8585 within one year of the cancellation,
9 surrender, or revocation.

10 8801. (a) Upon the expiration of the one-year period described
11 in Section 8800, ~~fee title of an abandoned care cemetery shall vest~~
12 ~~in the county in which the cemetery is located and shall be recorded~~
13 ~~with the county.~~ *the bureau shall notify the local agency formation*
14 *commission for the county in which the abandoned endowment*
15 *care cemetery is located that there is an abandoned endowment*
16 *care cemetery in that county.*

17 (b) *No later than 30 days following the notification from the*
18 *bureau described in subdivision (a), the local agency formation*
19 *commission shall commence proceedings to identify a local agency*
20 *take over the care, maintenance, and embellishment of the*
21 *abandoned endowment care cemetery. The local agency formation*
22 *commission shall complete its proceedings and identify the*
23 *receiving local agency within six months of receiving the*
24 *notification from the bureau.*

25 (c) *Upon completion of the proceeding described in subdivision*
26 *(b), fee title of an abandoned endowment care cemetery shall vest*
27 *in, and be recorded with, the local agency identified by the local*
28 *agency formation commission.*

29 ~~(b)~~

30 (d) ~~Any county~~ *local agency* acquiring fee title to a cemetery
31 pursuant to this section shall be responsible for the care,
32 maintenance, and embellishment of the abandoned endowment
33 care cemetery, and shall only use the property for *uses consistent*
34 *with cemetery purposes.*

35 8802. (a) Upon the transfer of title described in Section 8801,
36 ~~the county~~ *local agency* shall also take title of any endowment
37 care funds of the prior cemetery authority held by the bureau
38 pursuant to Section 7613.11 of the Business and Professions Code,
39 and shall take possession of all necessary books, records, real
40 property, personal property, and assets of the fund.

1 (b) The assets of the fund described in subdivision (a) shall be
 2 liquidated, and the proceeds shall be placed in a special fund within
 3 the county treasury. *fund*. The moneys within the special fund shall
 4 only be expended on care, maintenance, or embellishment of the
 5 abandoned endowment care cemetery. *cemetery acquired by the*
 6 *local agency pursuant to this chapter and for which the endowment*
 7 *care funds were maintained.*

8 8803. A county local agency that acquires title to an abandoned
 9 endowment care cemetery shall keep a record of, and honor, all
 10 remaining contracts for burial executed by the prior cemetery
 11 authority.

12 ~~SEC. 3.~~

13 SEC. 2. The heading of Chapter 7 (commencing with Section
 14 8825) of Part 3 of Division 8 of the Health and Safety Code is
 15 amended to read:

16 CHAPTER 7. ABANDONED NONENDOWMENT CARE CEMETERIES
 17

18
 19 ~~SEC. 4.~~

20 SEC. 3. If the Commission on State Mandates determines that
 21 this act contains costs mandated by the state, reimbursement to
 22 local agencies and school districts for those costs shall be made
 23 pursuant to Part 7 (commencing with Section 17500) of Division
 24 4 of Title 2 of the Government Code.

AMENDED IN ASSEMBLY APRIL 9, 2025
AMENDED IN ASSEMBLY MARCH 17, 2025
CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 356

Introduced by Assembly Member Patel

January 30, 2025

An act to add ~~Section 1272.2 to the Health and Safety Code, relating to health facilities; and repeal Chapter 3 (commencing with Section 127575) to Part 2 of Division 107 of the Health and Safety Code, relating to health care.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as amended, Patel. ~~Facility fees. Health care districts: County of San Diego.~~

Existing law, The Local Health Care District Law, authorizes the organization, incorporation, and management of local health care districts. Existing law establishes the Department of Health Care Access and Information to oversee and administer various health programs related to health care infrastructure, such as health policy and planning, health professions development, and facilities design review and construction, among others.

This bill would require the department to convene a working group to study and make recommendations regarding the provision of health care services in the northern San Diego region. The bill would require that the working group include representatives of certain health care districts and that it issue a report to the Legislature, on or before June 1, 2026, with its findings and recommendations. The bill would repeal these provisions on June 1, 2030.

This bill would make legislative findings and declarations as to the necessity of a special statute for the northern region of the County of San Diego.

~~Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Under existing law, a violation of those provisions is a misdemeanor.~~

~~This bill would require the department to conduct a study on the practice of general acute care hospitals, health systems, and licensed health care providers that are billing or seeking payment from patients for a facility fee that is not covered by the patient’s health insurance carrier. The bill would require the department to prepare a report with the findings of the study and to submit that report to the Legislature.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 3 (commencing with Section 127575) is
2 added to Part 2 of Division 107 of the Health and Safety Code, to
3 read:

4
5 CHAPTER 3. HEALTH CARE DISTRICTS: COUNTY OF SAN DIEGO

6
7 127575. This act shall be known, and may be cited, as the
8 Health Care Districts: County of San Diego Act.

9 127576. (a) The Department of Health Care Access and
10 Information shall convene a working group to study and make
11 recommendations regarding the provision of health care services
12 in health care districts in the northern region of the County of San
13 Diego.

14 (b) The working group shall include representatives of each of
15 the following areas:

- 16 (1) The Palomar Health Care District.
- 17 (2) The Fallbrook Health Care District.
- 18 (3) The Tri-City Health Care District.
- 19 (4) The San Diego Delegation of the California Legislature.
- 20 (5) The University of California hospitals.
- 21 (6) Trade associations representing health care districts.
- 22 (7) Trade associations representing hospitals.

1 (8) *Trade associations representing special districts.*

2 (9) *Any other relevant stakeholder interests, as determined by*
3 *the department.*

4 (c) *This chapter does not affect or limit any other statutory,*
5 *regulatory, or contractual obligations of public health care*
6 *providers or health care districts operating in the San Diego*
7 *region.*

8 127577. *The working group established pursuant to Section*
9 *127576 shall do both of the following:*

10 (a) *Review and discuss the statutory or other responsibilities*
11 *of each health care district to provide health care services to the*
12 *communities they serve and evaluate their capacity to meet those*
13 *responsibilities.*

14 (b) *Examine whether current resources, funding, and*
15 *organizational structures in the northern region of the County of*
16 *San Diego can fulfill the goal of providing adequate health care*
17 *access to all residents, including underserved and vulnerable*
18 *communities.*

19 127578. (a) *The working group shall convene as soon as*
20 *practicable following the operative date of this chapter.*

21 (b) *On or before June 1, 2026, the working group shall submit*
22 *its findings and recommendations to the California Legislature,*
23 *and shall make these findings available to any relevant county or*
24 *state agencies upon request.*

25 (c) (1) *A report to be submitted pursuant to subdivision (b)*
26 *shall be submitted in compliance with Section 9795 of the*
27 *Government Code.*

28 (2) *Pursuant to Section 10231.5 of the Government Code, this*
29 *chapter is repealed on June 1, 2030.*

30 *SEC. 2. The Legislature finds and declares that a special statute*
31 *is necessary and that a general statute cannot be made applicable*
32 *within the meaning of Section 16 of Article IV of the California*
33 *Constitution because of the uniquely integrated services provided*
34 *by the local health districts of the northern region of the County*
35 *of San Diego.*

36 ~~SECTION 1. Section 1272.2 is added to the Health and Safety~~
37 ~~Code, to read:~~

38 ~~1272.2. (a) The department shall conduct a study on the~~
39 ~~practice of general acute care hospitals, health systems, and~~
40 ~~licensed health care providers that are billing or seeking payment~~

1 from patients for a facility fee that is not covered by the patient's
2 health insurance carrier.
3 (b) The department shall prepare a report with the findings of
4 the study conducted pursuant to subdivision (a), and shall submit
5 that report to the Legislature, in accordance with Section 9795 of
6 the Government Code.

O

AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 448

Introduced by Assembly Member Patel
(Coauthor: Assembly Member Jeff Gonzalez)
(Coauthors: Senators Jones, Padilla, and Weber Pierson)

February 6, 2025

~~An act to add Section 1562.015 to the Health and Safety Code, relating to public social services.~~ *An act to add Chapter 5 (commencing with Section 129400) to Part 6 of Division 107 of the Health and Safety Code, relating to health facilities financing, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 448, as amended, Patel. ~~Short-term residential therapeutic program requirements.~~ *California Health Facilities Financing Authority Act: nondesignated hospitals: loan repayment.*

Under existing law, the California Health Facilities Financing Authority Act (act) authorizes the California Health Facilities Financing Authority to, among other things, make loans from the continuously appropriated California Health Facilities Financing Authority Fund to participating health institutions, as defined, for financing or refinancing the acquisition, construction, or remodeling of health facilities. Under the act, the authority is authorized to issue revenue bonds to provide the funds for achieving these purposes. Existing law appropriates \$40,000,000 to provide cashflow loans to nondesignated public hospitals, as needed, due to the financial impacts of the COVID-19 public health emergency. Existing law requires the

nondesignated public hospitals participating in this loan program to repay and discharge the loan within 24 months of the date of the loan.

This bill would extend the repayment requirements for nondesignated public hospitals participating in the loan program that had received a loan approval from, and entered into a loan and security agreement with, the authority by requiring those hospitals to begin monthly repayments on the loan 32 months after the date of the loan, and discharge the loan within 60 months of the date of the loan, as prescribed. The bill would require the monthly payments to be amortized over the term of the loan, at 0% interest. By removing restrictions limiting the expenditure of moneys appropriated for purposes of these loans, the bill would make an appropriation.

~~Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care and residential facilities, including short-term residential therapeutic programs, by the State Department of Social Services. A violation of the act is a misdemeanor. Existing law defines “short-term residential therapeutic program” as a residential facility licensed by the department and operated by any public agency or private organization that provides an integrated program of specialized and intensive care and supervision; services and supports, treatment, and short-term, 24-hour care and supervision to children, including foster children. Existing law requires a short-term residential therapeutic program to follow the requirements applicable to group homes, and to have national accreditation from an entity identified by the department pursuant to a specified process. Existing law requires a short-term residential therapeutic program to prepare and maintain a current, written plan of operation including, among other things, a statement of purposes and goals and a detailed program statement.~~

~~This bill additionally would require a short-term residential therapeutic program to ensure that at least one parent, or a legal guardian, will be residing at single, physical address within the state for the duration of the child’s or youth’s treatment. The bill also would require the short-term residential therapeutic program to ensure that a child or youth residing in the program facility is at all times able to make confidential telephone calls to their parent or legal guardian, as specified, and has access at all times to appropriate footwear that is suitable to be worn outdoors. The bill would require the short-term residential therapeutic program to post these requirements on its internet website. The bill would subject the short-term residential therapeutic program to civil~~

~~penalties for violating those requirements, or license suspension or revocation if the violation causes harm to a child’s or youth’s health or safety. The bill would require the department to adopt regulations to implement, interpret, or make specific the bill’s requirements. Because a violation of the bill’s requirements by a short-term residential therapeutic program would be a crime, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: yes. State-mandated local program: ~~yes~~^{no}.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5 (commencing with Section 129400) is
2 added to Part 6 of Division 107 of the Health and Safety Code, to
3 read:

4
5 CHAPTER 5. HEALTH FACILITY GRANTS AND LOANS

6
7 129400. The following definitions apply for purposes of this
8 section:

9 (a) “Authority” means the California Health Facilities
10 Financing Authority.

11 (b) “Nondesignated public hospital” means a public hospital
12 as that term is defined in subdivision (l) of Section 14165.55 of
13 the Welfare and Institutions Code, excluding those affiliated with
14 county health systems.

15 129401. (a) The authority shall extend the repayment period
16 as described in subdivision (b) for nondesignated public hospitals
17 participating in the loan program authorized under Provision (1)
18 of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022
19 (Chapter 45 of the Statutes of 2022) that had received a loan
20 approval from, and entered into a loan and security agreement
21 with, the authority, and that the authority has determined were
22 unable to repay their loan by the time required under the loan and
23 security agreement.

1 (b) Notwithstanding Provision (1)(e) of Item 0977-101-0001 of
 2 Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes
 3 of 2022) and any other law to the contrary, a nondesignated public
 4 hospital participating in the loan program described in subdivision
 5 (a) that had received a loan approval from, and entered into a
 6 loan and security agreement with, the authority shall be required
 7 to begin monthly repayments on the loan 36 months after the date
 8 of that loan, and shall discharge the loan within 60 months of the
 9 date of that loan. The monthly payments shall be amortized over
 10 the term of the loan, at 0 percent interest. There shall be no
 11 prepayment penalty.

12 (c) Except as provided in subdivision (b), this section shall not
 13 be construed to amend or otherwise affect the requirements of, or
 14 the authorities conferred to implement, the loan program pursuant
 15 to Provision (1) of Item 0977-101-0001 of Section 2.00 of the
 16 Budget Act of 2022 (Chapter 45 of the Statutes of 2022).

17 ~~SECTION 1. Section 1562.015 is added to the Health and~~
 18 ~~Safety Code, to read:~~

19 ~~1562.015. (a) In addition to the requirements of Section~~
 20 ~~1562.01, a short-term residential therapeutic program shall do all~~
 21 ~~of the following:~~

22 ~~(1) Prior to accepting a child or youth for treatment, ensure~~
 23 ~~that at least one parent, or a legal guardian, will be residing at~~
 24 ~~single, physical address within the state for the duration of the~~
 25 ~~child's or youth's treatment.~~

26 ~~(2) Ensure that a child or youth residing in the program facility~~
 27 ~~is at all times able to make confidential telephone calls to their~~
 28 ~~parent or legal guardian. This requirement is subject to waiver by~~
 29 ~~the department, the short-term residential therapeutic program, or~~
 30 ~~the parent or guardian.~~

31 ~~(3) Ensure that a child or youth residing in the program facility~~
 32 ~~has access at all times to appropriate footwear that is suitable to~~
 33 ~~be worn outdoors.~~

34 ~~(b) The short-term residential therapeutic program shall~~
 35 ~~prominently post the requirements described in subdivision (a) on~~
 36 ~~its internet website.~~

37 ~~(c) A short-term residential therapeutic program that violates~~
 38 ~~the requirements described in subdivision (a) shall be subject to~~
 39 ~~civil penalties in an amount not to exceed _____ dollars (\$_____)~~
 40 ~~per violation per day. The total civil penalty shall not exceed _____~~

1 dollars (\$_____). If a violation causes harm to a child's or youth's
2 health or safety, the department may also suspend or revoke the
3 short-term residential therapeutic program's license.

4 (d) ~~The department shall adopt regulations necessary to~~
5 ~~implement, interpret, or make specific the requirements of this~~
6 ~~section.~~

7 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
8 ~~Section 6 of Article XIII B of the California Constitution because~~
9 ~~the only costs that may be incurred by a local agency or school~~
10 ~~district will be incurred because this act creates a new crime or~~
11 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
12 ~~for a crime or infraction, within the meaning of Section 17556 of~~
13 ~~the Government Code, or changes the definition of a crime within~~
14 ~~the meaning of Section 6 of Article XIII B of the California~~
15 ~~Constitution.~~