



STATE LEGISLATION COMMITTEE

Wednesday, May 12, 2021

11:00am – 1:00pm

Join online at

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ee3a0282981a5b5fe1effb58b14ba68cc>

Meeting ID: 187 055 0870 / Meeting Password: CkjmwyET597

Join by Phone at 415-655-0001

(Public Comment Instructions available on page 10)

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Jen Snyder
Supervisor Connie Chan -- Ian Fregosi
Assessor's Office -- Holly Lung
City Attorney's Office -- Mary Jane Winslow
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

AGENDA

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of April 14, 2021.

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

Consent Agenda

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the State Legislation Committee and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

1. AB 221 (Santiago) Emergency food assistance.

Submitted by Human Services Agency

Recommended Position: Support

This bill would provide an emergency food assistance benefit to certain eligible low-income California residents, regardless of their immigration status, in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries.

2. AB 417 (McCarty) Rising Scholars Network: justice-involved students.

Submitted by Reentry Council

Recommended Position: Support

This bill would authorize the California Community Colleges Chancellor's Office to establish a program, named the Rising Scholars Network, to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for formerly and currently incarcerated individuals.

3. AB 424 (Stone) Private Student Loan Collections Reform Act: collection actions.

Submitted by the Office of the Treasurer and Tax Collector

Recommended Position: Support

This bill would protect private student loan borrowers from unsubstantiated lawsuits and collection on illegitimate debts. The bill requires private student loan lenders and debt collectors to comply with common sense evidentiary standards when bringing debt collection lawsuits against borrowers.

4. AB 695 (Arambula) Elder and dependent adults.

Submitted by Human Services Agency

Recommended Position: Support

This bill, along with a concomitant budget proposal, would greatly enhance Adult Protective Services (APS) programs to meet the growing needs of California's aging population.

5. AB 1527 (Ting) Seton Medical Center: seismic safety.
Submitted by the Department of Public Health
Recommended Position: Support
This bill would allow the Office of Statewide Health Planning and Development to grant Seton Medical Center in Daly City a waiver of up to one year to comply with seismic retrofit requirements.
6. SB 240 (Eggman) Income tax: credits: food banks.
Submitted by Department of the Environment
Recommended Position: Support
This bill would allow for the Personal Income Tax Law and the Corporation Tax Law to apply a tax credit for qualified taxpayers in an amount equal to 15% of the qualified value of fresh fruits or vegetables and specified raw agricultural products or processed foods donated to a food bank.
7. SB 354 (Skinner) Foster youth: relative placement.
Submitted by Human Services Agency
Recommended Position: Support as amended
This bill would ensure that any existing relationship between a prospective relative or non-relative extended family member (NREFM) caregiver and a child is considered in decisions regarding home approval and placement.
8. SB 551 (Stern) California Electric Vehicle Authority.
Submitted by Department of the Environment
Recommended Position: Support
This bill would establish a California Electric Vehicle Authority within the Governor's office to serve as the state coordinator to accelerate transportation electrification and zero-emissions goods movement and remove barriers and friction among state and regional agencies, utilities, and local governments.

New Business

Film SF / Office of Economic and Workforce Development

Presenter: Susannah Robbins and Lisa Pagan

9. SB 255 (Portantino) Health insurance: employer associations: large group health insurance.
Recommended Position: Support
This bill would authorize an association of employers to offer a large group health care service plan contract or large group health insurance policy consistent with the federal Employee Retirement Income Security Act of 1974 (ERISA) if certain requirements are met.

Office of the Treasurer and Tax Collector

Presenter: Eric Manke and Amanda Fried

- 10. SB 555 (McGuire) Local agencies: transient occupancy taxes: short-term rental facilitator: collection.**

Recommended Position: Oppose unless amended

This legislation establishes a system by which local governments may require short-term rental platforms to collect local charges and contract with the California Department of Tax and Fee Administration (CDTFA) to collect those charges from the short-term rental platforms and remit them to the local governments.

Department of Public Health

Presenter: Max Gara

- 11. AB 1358 (Bonta) Support**

Recommended Position: Support

This bill would require the California Department of Public Health to establish standards for the collection and disclosure of demographic information, including race/ethnicity, employment and language, by local health departments and health care providers, including vaccination sites.

- 12. SB 65 (Skinner) Maternal care and services.**

Recommended Position: Support

This bill would enact a comprehensive set of strategies, ranging from Medi-Cal coverage expansion to maternal care workforce improvements, to reduce pregnancy and postpartum death rates and infant mortality, especially for families of color.

Planning Department and Mayor's Office of Housing and Community Development

Presenter: Sheila Nickolopoulos

- 13. SB 5 (Atkins) Affordable Housing Bond Act of 2022.**

Recommended Position: Support

This bill would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6.5 billion.

- 14. SB 490 (Caballero) Housing acquisition and rehabilitation: technical assistance.**

Recommended Position: Support

This bill would create the Housing Acquisition and Rehabilitation Technical Assistance Program (HARTAP) at the State Department of Housing and Community Development (HCD) for the purpose of providing technical assistance to nonprofits, community land trusts, public housing authorities, housing cooperatives, resident associations, and local governments.

- 15. SCA 2 (Allen) Public housing projects.**

Recommended Position: Support

This bill would repeal Article 34, which prohibits the development, construction, or acquisition of a low-rent housing project, in any manner by any state public body until a majority of the qualified electors of the locality in which the low-rent housing project is proposed approve the project by voting in favor at an election.

Planning Department

Presenter: Sheila Nickolopoulos

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

Recommended Position: Support

This bill would authorize the Treasurer, within six months of the effective date, to develop and administer the Help Homeowners Add New Housing Program, which would assist homeowners in qualifying for loans to construct Accessory Dwelling Units.

- 17. SB 9 (Atkins) Housing development: approvals.**

Recommended Position: Support

This bill would require a proposed housing development containing no more than two residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing if the proposed development meets certain requirements.

- 18. SB 10 (Wiener) Planning and zoning: housing development: density.**

Recommended Position: Support

This bill would authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is in a transit-rich area, a jobs-rich area, or an urban infill site.

Department of the Environment

Presenter: Katie Chansler

- 19. AB 478 (Ting) Solid waste: thermoform plastic containers:**
postconsumer recycled plastic.

Recommended Position: Support

This bill sets minimum postconsumer recycled content standards for thermoform plastic containers (mostly take out clamshells and trays) to create a circular economy that will produce, collect, and post-consumer plastic thermoformed containers.

- 20. AB 1371 (Friedman) Recycling: plastic: packaging and carryout bags.**

Recommended Position: Support

This bill will reduce the amount of plastic packaging by prohibiting e-commerce retailers from using single-use plastic packaging such as shipping envelopes, cushioning, void fill or polystyrene peanuts for shipping products and will increase recycling opportunities for consumers by requiring retailers to collect and recycle materials.

- 21. SB 54 (Allen) Solid waste: packaging and products.**

Recommended Position: Support

This bill will prohibit producers of single-use, disposable packaging or foodware producers from offering for sale, selling, distributing, or importing in or into the state those products manufactured after January 1, 2032, unless it is recyclable or compostable.

- 22. SB 345 (Becker) Energy programs and projects: nonenergy benefits.**

Recommended Position: Support

This bill will establish common definitions of nonenergy benefits and try to determine consistent values and methodologies for use in assigning priority access to authorized funds by distributed energy resource programs, including energy efficiency.

- 23. SB 726 (Gonzalez) Alternative fuel and vehicle technologies:**
Sustainable Transportation Strategy.

Recommended Position: Support

This bill would require the state board and the State Energy Resources Conservation and Development Commission, in coordination with specified state agencies, to jointly develop a comprehensive transportation sustainability strategy, to be adopted by state agencies identified in the strategy.

Reentry Council

Presenter: Victoria Westbrook

24. AB 717 (Stone) Prisoners: identification cards.

Recommended Position: Support

This bill would require the California Department of Corrections and Rehabilitation to provide a California Identification card or driver's license to every person released from state prison.

25. AB 990 (Santiago) Prisons: inmate visitation.

Recommended Position: Support

This bill would increase access to visits and calls in California prisons.

26. AB 1007 (Cabrillo) Forced or Involuntary Sterilization Compensation Program.

Recommended Position: Support

This bill would establish the Forced or Involuntary Sterilization Compensation Program to provide compensation to women forcibly sterilized under California's eugenic laws, as well as those sterilized without medical necessity or informed consent while incarcerated in state prison, county jail or a state or local mental health facility.

27. SB 262 (Hertzberg) Bail.

Recommended Position: Support

This bill would require zero-dollar bail for most misdemeanor and felony offenses; require the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for the exempt offenses; and require the return of money or property paid to obtain bail, as specified.

28. SB 271 (Wiener) County sheriffs: eligibility requirements.

Recommended Position: Support

This bill would restore California's long-standing eligibility criteria for candidates seeking the office of Sheriff.

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

VI. ADJOURNMENT

Disability Access

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

Know Your Rights Under the Sunshine Ordinance

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at www.sfgov.org/sunshine.htm.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 – 2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: www.sfgov.org/ethics.

Cell Phones and Pagers

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Document Review

Documents that may have been provided to members of the State Legislation Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

Health Considerations

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

May 12, 2021 State Legislation Committee

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NOTE: Depending on your broadband/WIFI connection, there may be a 30-second to 2-minute delay when viewing the meeting live.

PUBLIC COMMENT CALL-IN: 415-655-0001 Access code: 187 055 0870

After entering the access code, press # twice to listen to the meeting *(There is no delay when listening to the meeting using this number.)*

Information Regarding Providing Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 2 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above when the item is called.
- Dial *3 to be added to the public comment queue for this item.
- When it is your time to speak, you will hear "Your line has been unmuted."
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that you **mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, "Next Caller," you are encouraged to state your name clearly. As soon as you speak, your 2 minute allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.



**STATE LEGISLATION COMMITTEE
DRAFT MINUTES
Wednesday, April 14, 2021
11:00am – 1:00pm**

**Held Via Videoconference
(remote public access provided via teleconference)**

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Jen Snyder
Supervisor Connie Chan -- Ian Fregosi
Assessor's Office -- Holly Lung
City Attorney's Office -- Mary Jane Winslow
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

Meeting commenced at 11:07am.

AGENDA

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of March 10, 2021.

Present: Edward McCaffrey, Jen Snyder, Ian Fregosi, Holly Lung, Mary Jane Winslow, Dan Kaplan, and Eric Manke

Absent: None.

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

Unfinished Business

Continued from the March 10, 2021 meeting

Treasurer & Tax Collector

Presenter: Eric Manke

1. SB 586 (Bradford) Criminal fees.

Recommended Position: Support

This bill would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system.

No public comment.

Motion to Continue to the Call of the Chair: Edward McCaffrey

Seconded by: Eric Manke

Approved: 7-0

New Business

Treasurer & Tax Collector

Presenter: Jacob DuMez

2. AB 1338 (Low) Public social services programs: financial assistance demonstration and research programs.

Recommended Position: Support

This bill will exempt unconditional cash payments from a pilot or research program from interfering with recipients' eligibility for state social safety net benefits (CalWORKs and CalFresh) and state tax calculations affecting Earned Income Tax Credit (EITC).

No public comment.

Motion to Support: Dan Kaplan

Seconded by: Mary Jane Winslow

Approved: 7-0

Human Rights Commission

Presenter: Joseph Sweiss

3. AB 412 (Reyes) California Commission on Human Rights

Recommended Position: Support

This bill would establish the California Commission on Human Rights, an advisory committee tasked with reviewing the status of human rights across California and providing periodic reports and policy recommendations.

No public comment.

Motion to Support: Ian Fregosi

Seconded by: Holly Lung

Approved: 7-0

San Francisco Public Utilities Commission

Presenter: Megan Scott & Sarah Fields

4. AB 758 (Nazarian) Marks-Roos Local Bond Pooling Act of 1985: electric utilities: rate reduction bonds.

Recommended Position: Support

This bill will allow the state of California's 45 Publicly Owned electric Utilities (POUs) to use rate reduction bonds as a low-cost financing tool, already available to water and wastewater agencies and to investor-owned utilities (IOUs), thereby allowing customers to financially conserve.

No public comment.

Motion to Support: Jen Snyder

Seconded by: Mary Jane Winslow

Approved: 7-0

5. SB 612 (Portantino) Electrical corporations and other load-serving entities: allocation of legacy resources.

Recommended Position: Support

This bill aims to create fair and equal access to the benefits of legacy contract resources for all customers and ensures that Investor-owned utilities (IOUs) portfolios are managed to maximize value and reduce unnecessary costs for all customers.

No public comment.

Motion to Support: Ian Fregosi

Seconded by: Mary Jane Winslow

Approved: 7-0

Department on the Status of Women

Presenter: Elizabeth Newman

6. SB 24 (Caballero) Domestic violence: protective orders: information pertaining to a child.

Recommended Position: Support

This bill would close a gap in the implementation of existing protections against a third party's disclosures of a minor's protected information under a domestic violence restraining order by providing courts the ability to restrict an abusive partner from accessing records and information pertaining to the health care, education, childcare, recreational activities, or employment of a minor child of the parties.

No public comment.

Motion to Support: Mary Jane Winslow

Seconded by: Eric Manke

Approved: 7-0

7. SB 331 (Leyva) Settlement and nondisparagement agreements.

Recommended Position: Support

This bill would expand protections against discrimination and harassment cover-ups by prohibiting non-disclosure and non-disparagement agreements (NDA) that limit workers' ability to speak out about harassment and discrimination in the workplace, whether due to race, sexual orientation, religion, age or any other characteristic.

No public comment.

Motion to Continue to the Call of the Chair: Edward McCaffrey

Seconded by: Mary Jane Winslow

Approved: 7-0

San Francisco Municipal Transportation Agency

Presenter: Jadie Wasilco

8. AB 550 (Chiu) Vehicles: speed safety system pilot program.

Recommended Position: Sponsor

This bill directs the Secretary of the California State Transportation Agency (CalSTA) to bring together a stakeholder working group to establish program guidelines for the piloting of two speed safety camera programs: one on dangerous local streets and the other in active state or local works zones. Pilot programs must comply with the State's guidelines to be implemented.

No public comment.

Motion to Continue to the Call of the Chair: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 7-0

9. AB 859 (Irwin) Mobility devices: personal information.

Recommended Position: Oppose unless amended

This bill would remove a public agency's existing authority to collect deidentified shared mobility device data, and only authorize them to collect anonymized data, as defined, from shared mobility devices, including from shared bicycles, scooters, transportation network companies (TNCs), and autonomous vehicles (AVs).

No public comment.

Motion to Oppose Unless Amended: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 7-0

10. AB 917 (Bloom) Vehicles: video imaging of parking violations.

Recommended Position: Support

This bill will expand state law to allow all transit agencies in California to install forward-facing cameras on buses to capture images of vehicles and cite those that park in transit-only lanes, bus stops, and transit stations. AB 917 is modeled after the successes of Muni and AC Transit's existing camera enforcement programs and aims to improve travel time and reliability.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Holly Lung

Approved: 7-0

Department of Public Health & Human Services Agency

Presenter: Max Gara & Susie Smith

11. AB 368 (Bonta) Food prescriptions.

Recommended Position: Support

This bill aims to directly address racial and ethnic health disparities, combat chronic disease, and reduce rates of food and nutrition insecurity among Medi-Cal enrollees by establishing a two-year, food prescription pilot in partnership with the Medi-Cal managed care plans in three counties, including the County of Alameda.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Mary Jane Winslow

Approved: 7-0

Department of Public Health

Presenter: Max Gara

12. AB 369 (Kamlager) Medi-Cal: persons experiencing homelessness.

Recommended Position: Support and amend

This bill will increase access to health and social services for people experiencing homelessness (PEH) by adding Medi-Cal coverage of services provided outside of traditional medical facilities (e.g. street medicine), reducing Medi-Cal enrollment barriers for PEH, and improving Medi-Cal coverage for COVID-19 related health services.

No public comment.

Motion to Support and Amend: Dan Kaplan

Seconded by: Mary Jane Winslow

Approved: 7-0

13. AB 831 (Davies) Licensed facilities: duties.

Recommended Position: Support and amend

This bill increases access to the opioid overdose reversal drug Naloxone by requiring substance use residential treatment facilities to keep the drug onsite and train staff in its administration. Amendments are sought to also apply the bill's provisions to mental health residential treatment facilities.

No public comment.

Motion to Support and Amend: Ian Fregosi

Seconded by: Mary Jane Winslow

Approved: 7-0

Human Services Agency

Presenter: Susie Smith

14. AB 396 (Gabriel) CalFresh: educational programs.

Recommended Position: Support

This bill would greatly expand the number of students receiving CalFresh benefits by requiring higher education programs that qualify under the Employment and Training (E&T) Services Program CalFresh student exemption to be certified by the State Department of Social Services by June of 2022.

No public comment.

Motion to Support: Dan Kaplan
Seconded by: Mary Jane Winslow
Approved: 7-0

15. AB 640 (Cooley) Extended foster care: eligibility redetermination.

Recommended Position: Support

This bill would bolster funding for Extended Foster Care (EFC) provided to non-minor dependents (NMDs) under AB 12 (Beall and Bass, Statutes of 2010). This bill would allow counties to establish federal Title IV-E funding eligibility for previously non-federal cases as a foster youth enters the EFC program. This would give counties some relief from the costs we incur today.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Dan Kaplan
Approved: 7-0

16. AB 808 (Stone) Children's Crisis Continuum Pilot Program.

Recommended Position: Support

This bill creates the Children's Crisis Continuum Pilot Program to meet the needs of youth with complex care needs who have historically been sent out-of-state for treatment. AB 808 will create an integrated continuum of intensive and highly individualized treatment settings to support stabilization and step-down to home-based care.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Mary Jane Winslow
Approved: 7-0

17. AB 911 (Nazarian) Long-term services and supports.

SB 515 (Pan) Long-term services and supports.

Recommended Position: Support

These bills would establish the California Long-Term Services and Supports Benefits Board (LTSS Board) to invest in long-term services and supports for older adults and adults with disabilities.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Jen Snyder
Approved: 7-0

18. SB 464 (Hurtado) California Food Assistance Program: eligibility.

Recommended Position: Support

This bill would expand the California Food Assistance Program (state-level SNAP) for non-citizens, assuming other eligibility criteria are met.

No public comment.
Motion to Support: Edward McCaffrey
Seconded by: Eric Manke
Approved: 7-0

Department of the Environment

Presenter: Katie Chansler

- 19.** AB 96 (O'Donnell) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

Recommended Position: Support

This bill would extend the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty (HD) truck technology until December 31, 2026.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Holly Lung

Approved: 7-0

- 20.** AB 111 (Horvath) Transportation: zero-emission vehicles.

Recommended Position: Support

This bill requires the implementation of a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- (MD) and heavy-duty (HD) vehicle parking and electric vehicle (EV) charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 7-0

- 21.** AB 564 (Lorena Gonzalez) Biodiversity Protection and Restoration Act.

Recommended Position: Support

This bill would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in their work.

No public comment.

Motion to Support: Ian Fregosi

Seconded by: Jen Snyder

Approved: 7-0

- 22.** AB 1200 (Ting) Plant-based food packaging: cookware: hazardous chemicals.

Recommended Position: Support

This bill would ban the use of fluorinated chemicals from food packaging and require any durable cookware that claims to eliminate one fluorinated chemical to disclose whether any other fluorinated chemical is present.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Eric Manke

Approved: 7-0

23. AB 1454 (Bloom) The California Beverage Container and Litter Reduction Act.

Recommended Position: Support

This bill would return to and sustain 80% or better recycling of all beverage containers in all regions of the state by using existing resources to provide targeted financial incentives to recyclers based on surveyed need.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Jen Snyder

Approved: 7-0

24. SB 207 (Dahle) Photovoltaic Recycling Advisory Group.

Recommended Position: Support if amended.

This bill requires the Secretary for Environmental Protection to establish a Photovoltaic Recycling Advisory Committee consisting of specified members to review and advise the legislature on policies intended to recycle and recover photovoltaic panels and their components.

No public comment.

Motion to Support if amended: Edward McCaffrey

Seconded by: Jen Snyder

Approved: 7-0

25. SB 260 (Wiener) Corporate Climate Accountability Act.

Recommended Position: Support

This bill would require major corporations who do business in California and make over \$1 billion annually to publicly disclose their full carbon emissions to the State and the public in an understandable and accessible way. Corporations would then have to submit "science-based" reduction plans that must be approved by both a third-party auditor and the state.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Eric Manke

Approved: 7-0

26. SB 372 (Leyva) Medium- and heavy-duty fleet purchasing assistance program: zero-emission vehicles.

Recommended Position: Support

This bill would require the California Pollution Control Financing Authority to establish a program to make financing tools and nonfinancial supports available to the operators of medium- (MD) and heavy-duty (HD) vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Holly Lung

Approved: 7-0

27. SB 619 (Laird) Organic waste: reduction regulations.

Recommended Position: Oppose unless amended

The bill would delay until an unspecified year the implementation of statewide law to reduce short-lived climate pollutants, including organics going to landfill.

No public comment.

Motion to Oppose Unless Amended: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 7-0

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

No Public Comment.

VI. ADJOURNMENT

Meeting Concluded at 1:17pm.

Date Submitted	May 3, 2021
Submitting Department	SFHSA
Contact Name	Susie Smith
Contact Email	Susie.smith@sfgov.org
Contact Phone	415-307-3291
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 221

Asm. Santiago, District 53, Democrat

Emergency food assistance

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Upon the appropriation of funds, this bill would provide an emergency food assistance benefit to low-income California residents, regardless of their immigration status, in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries. The bill would provide that a person is eligible for this benefit if they are an adult who self-attests to eligibility for at least one of 3 prescribed benefits (the Federal Emergency Food Assistance Program, the Disaster Relief Assistance for Immigrants or Immigrant Legal Services) and that this benefit is a disaster benefit rather than a public social service.

Background/Analysis

Current law still contains significant barriers. COVID-19 has devastated California's economy, leading to high levels of unemployment and food insecurity. Since the beginning of the pandemic, over 7 million Californians have applied for unemployment insurance and as of early January 2021, 2.8 million Californians were receiving regular unemployment benefits. Many struggle to pay for rent, mortgages, food and other basic necessities. These burdens are disproportionately affecting various groups across the state, including Black and Latinx communities.

As of January 18, 2021, for example, 22.5% of California households were experiencing food insecurity, with an even higher rate of 27.8% for households with children. Rates of food insecurity are even worse when examining data by race, with 24.4% of Black households and 33.1% of Latinx households reporting some levels of food insecurity. These numbers are even more staggering for households with children: 33.8% of Black families and 38.1% of Latinx families are facing hunger.

In March 2020, the federal government issued P-EBT, granting eligible low-income households a one-time allotment of \$250 to \$400 per child to spend on groceries. Eligible families in California received P-EBT cards from March-June of 2020 and received an extension in August and September of 2020. Research suggests that P-EBT reduced food hardship amongst the lowest income children by 30% percent in the week following its distribution.

Challenge

Despite the federal government providing one-time P-EBT assistance and the state offering limited assistance via CalFresh, millions of families continue to need emergency food assistance, including our undocumented communities who are excluded from CalFresh and other social safety nets. Even with the Mayor and the Board's significant increase in local food support during the pandemic, the food bank and CBO providers report increasing

demand for emergency food support. As the pandemic evolves, it is imperative we support families, children and single individuals by providing food assistance during this crisis.

California must aid its communities through the challenges brought forth by the COVID-19 crisis and ensure basic human necessities are accessible by all its residents.

Solution/Recommended Proposal

AB 221 would provide emergency food assistance to low-income families, regardless of their legal status. The program would be administered through a non-profit provider (e.g. a member of the California Association of Food Banks, an existing contractor under the Disaster Relief Assistance Program, a Feeding America partner state organization).

This bill would also require CDSS to conduct a study to make recommendations on how to establish a permanent food assistance program that is available to all food-insecure Californians.

AB 221 would address the current overwhelming rates of food insecurity and prevent more Californians from falling into poverty or homelessness.

Departments Impacted & Why

Only SFHSA

Fiscal Impact

According to the Assembly Appropriations fiscal analysis, the estimated costs are not yet known, but likely in the high tens of millions to the low hundreds of millions of dollars (GF) for CDSS to administer and provide a food benefit to individuals and households who may be eligible under this bill's provisions. CDSS indicates it would need approximately 15% of funds allocated for the program for administrative costs

Support / Opposition

Supported by:

California Association of Food Banks (Co-Sponsor), Coalition for Humane Immigrant Rights (CHIRLA), (Co-Sponsor) Western Center on Law & Poverty (Co-Sponsor), Agricultural Institute of Marin, Alameda County Community Food Bank, California

Alternative Payment Program, Association California Conference Board of The Amalgamated Transit Union, California Conference of Machinists, California Food and Farming Network, California Rural Legal Assistance Foundation, INC., California Teamsters Public Affairs Council, California Health+ Advocates, Californians for Pesticide Reform, Carbon Cycle Institute, Ceres Community Project, Consumer Attorneys of California, **County Welfare Directors Association**, Drug Policy Alliance Engineers and Scientists of California, IFPTE, Local 20, AFL-CIO Environmental Working Group, Fibershed, First 5 California, Food Bank Coalition of San Luis Obispo County, Friends of The Earth, GLIDE, Latino Coalition for A Healthy California, Lutheran Office of Public Policy, California Marin Food Policy Council, National Young Farmers, Coalition Pesticide Action Network North America, Professional and Technical Engineers, IFPTE Local 21, AFL-CIO, River City Food Bank, Sacramento Food Bank & Family Services, **San Francisco-Marin Food Bank**, Second Harvest Food Bank of Orange County, Second Harvest of Silicon Valley

Opposed by:

None listed

Date Submitted	5/3/2021
Submitting Department	Reentry Council
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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 417

Asm. McCarty, District 7, Democrat

Rising Scholars Network: justice-involved students.

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 417 authorizes the California Community Colleges (CCC) Chancellor's Office (CCCCO) to establish a program, named the Rising Scholars Network, to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for formerly and currently incarcerated individuals.

Background/Analysis

SB 1391 (Hancock), Chapter 695, Statutes of 2014, expanded access to face-to-face community college courses for incarcerated students through collaboration between the California Community Colleges and the California Department of Corrections and Rehabilitation (CDCR). Under the initial policy and funding framework of SB 1391, four pilot colleges were selected to offer instruction inside prisons.

Subsequently, other colleges were able to leverage resources to provide courses inside state prisons in their local areas. In total, 19 colleges piloted credit bearing, face-to-face, degree building education programs at 34 of the 35 CDCR state prisons. Over 5,000 students are enrolled each semester in these courses. The 2018-19 budget also provided new resources (\$5 million one-time) to the California

Community Colleges to support the creation and expansion of reentry programs for formerly incarcerated persons.

AB 1809 (Committee on Budget), Chapter 33, Statutes of 2018, created a grant program similar to the grant program created by this bill. Specifically, AB 1809 appropriated \$5 million one-time Proposition 98 General Fund to the CCC for a one-time reentry grant program to support currently and formerly incarcerated individuals. The bill requires a report on the use of these funds by July 31, 2022.

According to the CCC Chancellor's Office, 44 colleges received \$113,000 each from the \$5 million appropriated by AB 1809. The colleges receiving funds reported need in excess of those funds. For this reason, the CCC Chancellor indicates \$10 million in funding for the grant program would better align with need. \$10 million would provide 50 campuses with grants that average \$190,000, if 5% of grant amounts were used for program administration.

Challenge

Incarceration clearly interferes with people's ability to continue their education, hence the low levels of educational attainment. Studies suggest that justice-involved students are less likely to recidivate. A 2013 study by the Rand Corporation found inmates who participated in educational programs were 43% less likely to recidivate than those who did not participate. Specifically, individuals

who participated in college programs had 51% lower odds of recidivating.

Justice-involved students face unique challenges as they strive to reintegrate into their communities and navigate the higher education system. 29% of the U.S. population in 2008, compared to less than 4% of formerly incarcerated people, held a college degree. This is, in part, due to a lack of support services and the absence of a sense of community for justice-involved students on college campuses. Many of these students are still under community supervision, needing to follow strict guidelines that may interfere with their schooling. Having a program on campus which understands and addresses the unique challenges justice-involved students face is essential to their success...through the Rising Scholars Network, we will be able to provide services to California Community College justice-involved students and help them achieve the academic success and financial stability a higher education provides.

Solution/Recommended Proposal

Specifically, the bill authorizes the CCC Chancellor's Office to enter into agreements with up to 50 CCCs to administer a grant program to expand the number of formerly and currently incarcerated individuals participating and succeeding in the community colleges. In addition, the CCC Board of Governors (BOG) is to adopt regulations for the program and shall review applications for the funds from CCCs. Funds are to be used for various support and services for formerly and currently incarcerated individuals, including tutoring, counseling and professional development for faculty and staff.

The bill allows the CCC BOG to designate up to 5% of the grant funds for program administration. It also requires, beginning December 31, 2023, and every two years thereafter, the CCC BOG submit a report to the Governor describing the program's impacts and makes recommendations on expanding the program to additional CCCs.

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

1. One-time Proposition 98 General Fund costs of between \$5 million and \$10 million for the grant program. (More discussion of the rationale for this amount in grant funding is provided below.)
2. Minor and absorbable General Fund costs to the CCC Chancellor's Office to administer the grant program. The Chancellor's Office indicates it currently has staff dedicated to programs for formerly and currently incarcerated individuals and that the 5% designated in the bill for administration would cover costs.

Support / Opposition

Supported by:

Allan Hancock Joint Community College
California Community Colleges Chancellor's Office
California Competes: Higher Education for a Strong Economy
Faculty Association of California Community Colleges
SEIU California

Opposed by:

None on file

Date Submitted	4/30/21
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 424

Asm. Stone, District 29, Democrat

Private Student Loan Collections Reform Act: collection actions

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 424 will protect private student loan borrowers from unsubstantiated lawsuits and collection on illegitimate debts. The bill requires private student loan lenders and debt collectors to comply with common sense evidentiary standards when bringing debt collection lawsuits against borrowers.

Background/Analysis

As of June 2020, more than 650,000 Californians owed \$10.3 billion in private student loan debt. Banks, for-profit colleges, and other private lenders provide these loans without the involvement of the federal government. Consequently, private student loans often have higher interest rates and offer fewer consumer protections than federal student loans. Low-income and students of color are more likely to take out these private loans and are often subjected to predatory practices that increase their debt burden and decrease their likelihood of payoff.

When a borrower falls behind on loan payments, student loan lenders and debt collectors pursue aggressive litigation, characterized as an "assembly line of lawsuits" against the borrower. The plaintiffs in these cases are typically not the original

lenders; rather, they are trusts, loan servicers, or debt collectors that purchase and bundle debts.

Plaintiffs may claim to be the holder of the loan, yet routinely fail to provide critical paperwork documenting the loan's chain of ownership. The National Collegiate Student Loan Trust (NCT) holds 800,000 private student loans and is one of the nation's largest holders of these loans. An audit on a sample of 400 NCT loans revealed that NCT could not establish the chain of ownership for any of these loans. In 2014, National Consumer Law Center found that creditors consistently brought lawsuits for debt beyond the statute of limitations for collection, failed to comply with court requests for additional information, and were not licensed to conduct business in the specified jurisdiction.

Plaintiffs, such as NCT, automatically win many of these lawsuits because borrowers are unfamiliar with the judicial system, and often are unable to afford legal representation. Court rulings in favor of debt collectors result in garnished wages or seizure of federal benefits deposited in bank accounts. These lawsuits have a devastating impact on student borrowers, many of whom are already economically disenfranchised.

Solution/Recommended Proposal

AB 424 will:

- Establish minimum evidentiary standards for private education lenders or loan collectors filing a lawsuit against borrowers.
- Require lenders and collectors to provide specified records including, but not limited to: documentation establishing the chain of ownership, records of negotiations, and a log of collection attempts, which will be made available at the request of the borrower. AB 424 (Stone) Private Student Loan Collection Reform Act Updated 2.4.21
- Allow a borrower to pursue avenues of enforcement if a lender or collector fails to comply with provisions of this bill.

The California Legislature passed SB 233 (2013), the Fair Debt Buying Practices Act, which greatly reduced the flood of lawsuits from debt buyers seeking to collect on defaulted credit card debts with junk evidence. However, this Act and other fair debt collection laws generally do not cover education-related debts.

AB 424 will build upon AB 2251 (2016), AB 38 (2018), and AB 376 (2020); bills which brought the predatory practices of California's \$141 billion student loan industry out of the shadows.

Departments Impacted & Why

No Departments would be impacted.

Fiscal Impact

Existing analyses do not include a fiscal impact for the bill, which may be expected to impact the court system primarily, and not likely substantially. There would clearly be private sector costs, focused largely in the debt collection space; again, we have not seen an estimate for what these costs could be.

Support / Opposition

Supported by:

Nextgen California (Sponsor)

Student Borrower Protection Center
(Sponsor)

Student Debt Crisis (Sponsor)

California Association for Micro Enterprise
Opportunity (CAMEO)

California Association of Nonprofits

California Association of Realtors

California Dental Association

California Low-income Consumer Coalition

California Optometric Association

Consumer Federation of California

Consumer Reports

Friends Committee on Legislation of
California

Housing and Economic Rights Advocates

Legal Aid Association of California

Legal Aid Foundation of Los Angeles

Neighborhood Legal Services of Los Angeles
County

Public Counsel

Public Law Center

The Century Foundation

The Institute for College Access & Success

University of California, Irvine School of Law

Consumer Law Clinic

Western Center on Law & Poverty

Young Invincibles

Opposed by:

California Bankers Association

California Credit Union League

Date Submitted	May 3, 2021
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 695
Asm. Arambula, District 31, Democrat
Elder and dependent adults

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill, along with a concomitant budget Proposal, greatly enhance Adult Protective Services (APS) programs to meet the growing needs of California's aging population.

Background/Analysis

APS provides a critical role in protecting older and dependent adults in California from abuse, neglect and exploitation. This role is expanding with the population that APS serves, which has grown and changed significantly since the program's inception. By 2030, one in five Californians will be age 65 or older— double what the over-65 population is today. Many of these individuals will also be disabled, cognitively impaired, or facing financial struggles including homelessness. The APS program reflects this growth, having responded to 206,668 reports of abuse in 2019-20, which represents a 61.3 percent increase in reports since 2011-12.

According to the National Center on Elder Abuse, there are as many as six million cases of abuse in the United States every year. The same study concludes that a whopping 11 percent of all the elder abuse cases in American occur in California.

Currently, the APS Program is largely supported through 2011 Realignment funding, since there is no mandate nor

permanent dedicated funding at the federal level. Recent state investments have been made, including a statewide training of APS staff and establishing the APS Home Safe Program, which provides housing-related assistance and homelessness prevention to at-risk APS clients in participating counties.

Challenge

Even with these new investments, county APS programs still struggle to address a new and evolving landscape that includes the rapid growth in the senior population and rise of cognitive impairments within that population, and the effects of the pandemic coupled with the severe housing crisis that California is facing.

Solution/Recommended Proposal

AB 695 contains two main components:

1. Provide long-term case management, including for those who are homeless and have cognitive impairments, and allow APS to serve highly vulnerable adults aged 60-65 (\$70 million GF BY and ongoing). While not all older adults served in APS will require longer-term case management, those that have more complex needs require more attention and dedicated staffing, including social workers and public health nurses. This bill would lower the age served, thereby aligning the APS program with programs administered through the Area Agencies on Aging

and allow for earlier interventions and better upfront coordination.

2. Make permanent and expand the APS Home Safe Program (\$30 million GF in the budget year and ongoing). APS Home Safe launched in San Francisco and 24 other counties in July 2019 as a pilot program and is demonstrating success in preventing homelessness among APS consumers. The program is slated to end in June 2021. This bill would instead make Home Safe permanent, expand the program to other interested counties and modify the program to assist victims of abuse and neglect who have become homeless or who need longer-term housing support as a bridge to other housing programs.

Departments Impacted & Why

Only SFHSA

Fiscal Impact

Accompanying budget proposal is \$100M state General Fund per year

Support / Opposition

Sponsors:

The County Welfare Directors Association of California (CWDA)

Justice in Aging

the California Elder Justice Coalition

The Service Employees International Union (SEIU)

The California State Association of Counties (CSAC)

The Urban Counties of California (UCC)

The California Association of Public Authorities (CAPA)

The California State Association of PA/PG/PC.

Date Submitted	April 5, 2021
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 1527

Asm. Ting, District 19, Democrat

Seton Medical Center: seismic safety

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 1527 will allow the Office of Statewide Health Planning and Development to grant Seton Medical Center in Daly City a waiver of up to one year to comply with seismic retrofit requirements.

Background/Analysis

Seton Medical Center in Daly City plays an important role in providing health care for southern San Francisco and northern San Mateo County. Roughly 27,000 people in this community rely on its emergency and hospital services annually - about 80 percent of whom are Medi-Cal and Medicare recipients. Each year, an estimated 1,000 San Francisco residents are hospitalized at Seton, and 3,000 to 4,000 residents utilize the emergency department.

Challenge

The Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 provides strict deadlines for when general acute care hospitals must comply with seismic retrofit requirements, including an upcoming July 1, 2022 deadline.

Seton Medical Center has been at risk of closure for years due to bankruptcy and multiple potential ownership changes. Due these financial difficulties and the

ongoing pandemic, Seton Medical Center is behind on complying with existing seismic retrofit requirement, and is at risk of closure. If the hospital was forced to close, this would impact access to health care services in the surrounding community, and also could indirectly impact the emergency department capacity of Zuckerberg San Francisco General Hospital, as it is one the servicing ED's for this community.

Solution/Recommended Proposal

AB 1527 authorizes the Office of Statewide Health Planning and Development (OSHPD) to grant Seton Medical Center a waiver of up to one year to comply with seismic retrofit requirements. The waiver requires timely progress reports and allows OSHPD to revoke the waiver if necessary.

The waiver would allow the hospital to complete the seismic retrofit, while continuing to provide critical community care during the lingering pandemic. This is an important service for the regions capacity to support those needing medical care.

Departments Impacted & Why

No other department would be impacted by this bill.

Fiscal Impact

While no fiscal analysis has been conducted on the bill, it would likely have minimal to no

fiscal impact to CA State General Fund, and
no impact to San Francisco GF.

Support / Opposition

No identified support or opposition.

Date Submitted	5/3/2021
Submitting Department	Environment
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Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 240
Sen. Eggman, District 5, Democrat
Income tax: credits: food banks

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Department of the Environment is in support of SB 240 which would allow for the Personal Income Tax Law and the Corporation Tax Law to apply a tax credit for qualified taxpayers in an amount equal to 15% of the qualified value of fresh fruits or vegetables and specified raw agricultural products or processed foods donated to a food bank. This bill would extend the authorization for those tax credits to a taxable year beginning before January 1, 2027.

Background/Analysis

Over 30% of all food produced in the US is getting wasted, and San Francisco's characterization study indicates wasted food is within the top disposed items. In addition, the number of families who are food insecure in SF almost doubled during the Pandemic. In order to reduce wasted food and maximize donation of edible food to San Franciscan's in need, it is imperative that businesses are able to access a tax credit for donated food in order to financially encourage food donation.

Challenge

No challenges.

Solution/Recommended Proposal

Extending the tax credit timeline for businesses for donated food to food banks.

Departments Impacted & Why

Franchise Tax Board implementation costs have not yet been determined.

Fiscal Impact

None.

Support / Opposition

San Francisco- Marin Food Bank, California Associations of Food Banks.

Date Submitted	May 3, 2021
Submitting Department	SFHSA
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 354
Sen. Skinner, District 9, Democrat
Foster youth: relative placement

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR

<input type="checkbox"/> SUPPORT if amended
<input type="checkbox"/> OTHER & Describe | <input checked="" type="checkbox"/> SUPPORT as amended
<input type="checkbox"/> OPPOSE |
|---|---|

Summary

SB 354 ensures that any existing relationship between a prospective relative/non-relative extended family member (NREFM) caregiver and a child is considered in decisions regarding home approval and placement. Additionally, the bill addresses current obstacles causing placement delays or denials for prospective relative/ non-relative extended family member caregivers by: 1) waiving income requirements when appropriate and supporting relatives in accessing necessary supplies, such as cribs, car seats and booster seats; 2) broadening the list of convictions that qualify for exemptions and simplified exemptions; and 3) clarifying the court shall use its independent judgement in placement decisions.

Background/Analysis

Current law still contains significant barriers to children staying with family members or relatives that have a criminal conviction. Relatives seeking criminal history exemptions frequently face prolonged administrative and appeal processes that frequently place their requests for placement in seemingly indefinite uncertainty.

Research suggests that children experience fewer placement changes in kinship care. In comparison to children in non-familial foster care, children housed with family members or relatives have better attachments to their caregivers and fewer behavioral and school-related issues. Temporarily housing children with family members or relatives is a necessary alternative to institutional and non-familial foster care for the benefit of the child's growth and development. It provides children with greater stability than foster care with evidence also showing that sustained contact with children and family reunification post-incarceration lowers recidivism rates for incarcerated parents.

Challenge

The state of California has over 60,000 children in the child welfare system, disproportionately from black and brown families. According to the Child Welfare Indicators Project, Black and Latinx children, respectively, are 2.8 and 1.22 times more likely to have contact with the child welfare system than their white counterparts. This, coupled with a history of mass incarceration in the United States, has led to children of system impacted families facing barriers to being reunited with their parents or relatives

Solution/Recommended Proposal

SB 354 puts provisions in place to allow caregivers to be able to appeal and qualify for criminal exemptions so they may take in their grandchildren and other relatives who

are in the foster care system. The goal of the bill is to preserve family-like relationships between children and their caregivers. Recent court cases also underscore the need for exemptions when these relationships exist between children and their caregivers.

The March 25th amendments do the following:

- Require the Department of Social Services (DSS) to provide a report to the Legislature by January 1, 2023 detailing the impact of criminal history on Resource Family Approvals (RFA).
- Gives the agency discretion to give a criminal records exemption to a prospective relative or non-relative extended family member for convictions that are currently non-exemptible if there is a family-like relationship between the prospective caregiver and the child(ren) and there is no risk to the child(ren).
- Broadens the convictions that qualify for a simplified exemption to misdemeanors over three years old (currently five) and felonies over five years old (currently seven).
- Adds to the list of factors considered for granting an exemption:
 - Evidence of applicant's willingness/ability to provide a loving, safe and stable home.
 - The wishes of the child and the strength of the existing bond between the applicant and the children.
- Specifies that a criminal records exemption shall be granted if the offense was subsequently dismissed or if the applicant obtained a certificate of rehabilitation or pardon.
- Prevents placement delays by ensuring relatives receive support for childcare supplies, such as cribs, car seats and booster seats.
- Clarifies court must use independent judgment in making placement decisions regardless of RFA/exemption status and that those placements are eligible for funding.

- Allows income requirement for RFA to be waived for relatives/NREFMs on a case-by-case basis.
- Establishes presumption that RFA be approved if family-like relationship between applicant and child or if child already placed in the home unless there is a safety risk.

Departments Impacted & Why

Only SFHSA

Fiscal Impact

This bill has not yet been analyzed by a state fiscal committee.

Support / Opposition

Support:

A New Way of Life Re-entry Project (Co-Sponsor), Legal Services for Prisoners with Children (Co-Sponsor), Starting Over, Inc. (Co-Sponsor), A New Way of Life Re-entry Project, All of Us or None, Riverside Alliance for Children's Rights, Asian Americans, Advancing Justice – California, California Coalition for Women Prisoners, California Families Against Solitary Confinement (CFASC), Center for Employment Opportunities, Children's Law Center of California **County Welfare Directors Association of California (CWDA)** East Bay Community Law Center East Bay, Family Defenders Family Reunification Equity & Empowerment (F.R.E.E.), Fathers & Families of San Joaquin, Fresno Barrios Unidos, Hillside Initiative Justice, Legal Aid At Work, Legal Services for Prisoners With Children, Los Angeles Dependency Lawyers, INC., Rubicon Programs, **San Francisco District Attorney's Office**, Sigma Beta Xi, INC. (sbx Youth and Family Services), Silicon Valley De-bug, Social & Environmental Justice Committee of The Universalist, Unitarian Church of Riverside, Surj Contra Costa County, The Harriett Buhai Center for Family Law, The Place4grace, Time for Change Foundation, Vista Del Mar Child, and Family Services Young Women's Freedom Center.

Oppose: none listed

Date Submitted	April 5, 2021
Submitting Department	Department of the Environment
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 551

Sen. Stern, District 27, Democrat

California Electric Vehicle Authority

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would establish a California Electric Vehicle Authority within the Governor's office to serve as the state coordinator to accelerate transportation electrification and zero-emissions goods movement and remove barriers and friction among state and regional agencies, utilities, and local governments.

The Authority would build upon the [California Zero-Emission Vehicle Market Development Strategy](#), address market gaps, leverage existing funding programs, establish new revenue sources and financial tools to help unlock private capital investments, ensure equity in access to zero-emission mobility options for disadvantaged communities regardless of personal Electric Vehicle (EV) ownership, and support workforce development as part of California's economic recovery.

Background/Analysis

Existing law provides for various state programs and services for the purpose of attracting and retaining businesses in the state. Existing law creates the Governor's Office of Business and Economic Development and requires the office to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development,

private sector investment, and economic growth.

This bill would establish the California Electric Vehicle Authority within the Governor's office. The bill would require the authority to coordinate activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified.

Challenge

Transportation accounts for about 50% of San Francisco's GHG emissions. Electrifying transportation across all vehicle classes is a challenge that must be met quickly to improve air quality and address our climate emergency. The current approach is ad hoc, inefficient, and not equitable. For example, San Francisco has attracted considerable grant funding and private investment for light-duty EV charging, but much of our publicly accessible charging infrastructure is in the northeast quadrant and does not broadly serve our residents. In order to meet our 2030 climate goals San Francisco must increase charging infrastructure by 18% per year ([ICCT 2020](#)).

In addition to light-duty EVs, public- and private-sector truck and bus fleets must be zero emission by 2045 where feasible and significantly earlier for certain market segments such as last-mile delivery. This will require substantial financial investment and

fundamental changes in how vehicles and fueling infrastructure are procured and operated.

Many of the barriers to the transition to zero-emission transportation cannot be solved at the local level, such as long utility interconnection timelines, ensuring that state agencies are not enacting rules in conflict with one another, and coordinating a strategic effort by all stakeholders to meet existing state vehicle and infrastructure targets to achieve the state goal of carbon neutrality by 2045.

Solution/Recommended Proposal

This bill would establish a single, cohesive authority to direct and control the statewide adoption of zero emissions vehicles.

Departments Impacted & Why

By reducing barriers and friction in transportation electrification across all vehicle classes, the Authority would reduce staff time and increase investment and technical assistance available to city departments that have responsibility for vehicle electrification.

Fiscal Impact

None.

Support / Opposition

Supported by: None on record

Opposed by: None on record

Date Submitted	5/3/2021
Submitting Department	Film SF/OEWD
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 255

Sen. Portantino, District 25, Democrat

Health insurance: employer associations: large group health insurance

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Senate Bill 255 would authorize an association of employers to offer a large group health care service plan contract or large group health insurance policy consistent with the federal Employee Retirement Income Security Act of 1974 (ERISA) if certain requirements are met. In particular, SB 255 will preserve the ability of the Producers' Health Benefits Plan, a multi-employer welfare arrangement (MEWA) serving the television commercial production industry, to continue offering fully employer-paid, high-quality health benefits to 1,200 California freelance commercial production employees.

Background/Analysis

In 2018, the U.S. Department of Labor issued new regulations to allow more groups of small businesses and self-employed individuals to form employer association health plans, allowing them to offer coverage that is regulated under federal law as large-group coverage, and thus bypass certain Affordable Care Act requirements applied to the individual and small group markets.

SB 1375 (Hernandez. 2018) clarifies that health coverage through an employer

association health plan be considered individual coverage and provides that the status of each distinct member of an association will determine whether that member's association coverage is individual, small group, or large group health coverage.

In December 2019, the California Department of Managed Healthcare (DMHC) issued an "All Plan Letter" laying out regulatory enactments stemming from SB 1375 (2018), which would effectively eliminate PHBP's ability to continue providing benefits to these freelance employees.

Amendments:

The bill was recently amended to assuage some concerns from consumer advocate groups regarding the historical issues with association health plans.

The current health plan of the Association of Independent Commercial Producers (the Producers' Health Benefit Plan) is equivalent to the Covered California platinum level plan, so the bill language was updated to strengthen the requirement that an exemption is contingent on the Association's plan offering platinum level coverage and coverage of essential health benefits.

The new bill language reads,

(iv) As of January 1, 2019, the large group health care service plan contract *offered to employees* has continuously provided a level

of coverage having an actuarial value ~~or~~ equivalent ~~to~~ *to, or greater than,* the platinum level of ~~coverage~~ *coverage, as described in Section 1367.008, that is* available through the California Health Benefit Exchange established pursuant to Section 100500 of the Government ~~Code.~~ *Code, and the large group health care service plan contract provides coverage for essential health benefits consistent with Section 1367.005 and any rules or regulations adopted pursuant to that section.*

Challenge

Freelance employment is the backbone of the entertainment industry's employment practices. Because freelance filming crews are hired on a project-by-project basis and may have dozens of different production company employers over the course of a year, they have no means to qualify for regular employer health benefits plans.

If a clarifying exception is not made in the law for the PHBP, all of its 220 Participating Employers' PHBP-covered freelance employees would lose their employer-paid health care and be forced to the open market to secure individual plans at an out-of-pocket increase in costs of between \$8,000 to \$29,000 depending on the coverage needed to replace the existing benefits.

The increased costs of procuring their own health insurance will be passed on to the production companies and advertisers by ways of increased labor costs. The resulting increase in the cost of production in California will incentivize advertisers to take commercial productions out of California, reducing potential employment opportunities in San Francisco and drastically harming the local businesses and property owners – including the City -- that rely on film production as source of revenue.

Solution/Recommended Proposal

SB 255 would allow the Producers' Health Benefits Plan to continue providing no cost, high-quality healthcare to freelance employees of the TV commercial production industry by authorizing an association of employers to offer a large group health care

service plan contract or large group health insurance policy consistent with the federal ERISA if certain requirements are met, including:

- The large group health insurance policy has been in continuous existence since January 1, 2014, as an employee welfare benefit plan.
- As of January 1, 2019, the large group health insurance policy has continuously provided a level of coverage having an actuarial value or equivalent to the platinum level of coverage available through the California Health Benefit Exchange.
- The large group health insurance policy includes coverage of employees, and their dependents, who are employed in designated job categories on a project-by-project basis for one or more participating employers, and who, in the course of that employment, are not covered by another group health insurance policy in which the employer participates.
- The number of total employees employed by all participating employers in each year is at least 101 employees.
- The association is an organization with business and organizational purposes unrelated to the provision of health care benefits.
- The participating employers have a commonality of interests from being in the same line of business, unrelated to the provision of health care benefits.
- The participating employers, either directly or indirectly, exercise control over the large group health insurance policy, both in form and substance.

Departments Impacted & Why

OEWD requested SFDPH's review and input of the bill as it requests changes to current CA large group/multi- employer health insurance law.

DPH cited concerns related to the original bill text because it was not clear that the association plan exempted by the bill would have to follow ACA consumer protections like providing the minimum essential health benefits. The amendments to the bill listed in this analysis were included by the sponsor to address this concern shared by SFDPH and other consumer advocates across the state.

San Francisco Film Commission: Film and digital media are an economic engine which drive job creation, economic stability and sustainability of the city and its residents. Film/media productions in San Francisco provide thousands of jobs annually to local crew and actors while spending money locally on purchases like hotels, car rentals, catering, hardware, lumber, office supplies, wardrobe, props and equipment rentals.

TV Commercials are an important component of the on-location media production sector in San Francisco, accounting for 33 projects and 53 shoot days in FY 19/20 (down significantly year-over-year due to the pandemic.) In FY 18/19, San Francisco permitted 77 commercial projects for 113 shoot days, bringing in \$21,900 in permit fees in addition to the ancillary economic benefits.

Fiscal Impact

Fiscal Impact analysis for SB 255, should be available for scheduled 5/10/21 Senate Appropriations Committee. No clear state budget impacts.

Support / Opposition

Support: Association of Independent Commercial Producers (AICP); Los Angeles County Business Federation (LA BizFed); Valley Industry & Commerce Association (VICA)

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 555

Sen. McGuire, District 2, Democrat

Local agencies: transient occupancy taxes: short-term rental facilitator: collection

Recommended Position

☐ SPONSOR ☐ SUPPORT
☐ SUPPORT if amended ☐ OPPOSE
☒ OTHER & Describe – OPPOSE unless amended

Summary

This legislation establishes a system by which local governments may require short-term rental platforms to collect local charges and contract with the California Department of Tax and Fee Administration (CDTFA) to collect those charges from the short-term rental platforms and remit them to the local governments. Unfortunately, it also gives too much authority to short-term rental platforms without requirements for necessary reporting or accountability. Without a mandate to better provide accounting of their listing locations and the taxes and charges required to be collected there is too much room for errors in a platform's system for proper collection. Proposed amendments from the California Association of County Treasurers and Tax Collectors and the League of California Cities are being considered by the author. If those amendments are adopted, CCSF would then drop our opposition.

CCSF already has a robust system for tracking and collection of TOTs and while not required to participate in this newly established system nor would we opt to, we fear this bill could undercut local authority.

Background/Analysis

Short-term rental platforms such as Homeaway, VRBO, and Airbnb are increasingly a source of revenue for cities and counties. State law permits cities and counties to levy a tax on the privilege of occupying a room or other space on a short-term basis—known as Transient Occupancy Taxes (TOTs).

This bill allows a local government to pass an ordinance requiring a short-term rental platform to collect TOTs from purchasers (renters) and contract with the CDTFA to collect the TOTs from those platforms in their jurisdictions. Under such an ordinance, a platform would collect TOTs directly from the renter and the CDTFA would collect the TOTs from the platform and hold them in trust until transmitted to the local agency.

Challenge

There is concern based on past experience that short-term rental platforms will not accurately collect taxes and in turn will not provide CDTFA with the information needed to ensure proper collection. To date, platforms have provided inaccurate listing locations and shown a refusal to share information with local agencies. In addition, there is concern that CDTFA will not have the information or tools (such as platform listing tracking software) to ensure proper collection of a local tax.

CCSF already has a robust system for collection of TOTs and while not required to participate in this newly established system nor would we opt to, we fear this bill could undercut local authority. We understand the intent of this legislation is to expand collection in other local jurisdictions. However, this legislation is not solving a primary issue: rental platforms are not ensuring that their listings are correctly located and are refusing to provide full accounting of their bookings.

Solution/Recommended Proposal

Oppose unless amended. SB 555 can only work if the platforms provide to CDTFA and contracting cities every property that they have on their system along with every booking taken and the rate that was paid per night. To mirror what existing vendors can provide to cities, the platforms should provide an accounting per property in every contracting jurisdiction to tie rental activity to the collected tax. The author is considering amendments from the California Association of County Treasurers and Tax Collectors and the League of California Cities covering the following issues:

- Ensure CDTFA and contracting cities have access to adequate platform information to ensure proper collection and auditing.
- Clarify the protection of local tax rates and charges.
- Clarify that this measure does not preempt any local short-term rental ordinances.
- Provide that registered platforms also support the costs of administration.
- Protect the option of voluntary collection agreements.

Departments Impacted & Why

Planning - Office of Short-Term Rentals,
Zoning and Compliance Division

Fiscal Impact

No fiscal impact on CCSF.

CDTFA states that local TOT revenue gain or loss in other jurisdictions cannot be determined.

Support / Opposition

Supported by:

Airbnb, Inc.
Bay Area Council
California Asian Pacific Chamber of Commerce
California Hispanic Chambers of Commerce
City of Campbell
City of Half Moon Bay
City of Orange Short-Term Rental Alliance
Home Share Alliance Los Angeles
Home Sharers Democratic Club
Huntington Beach Short-Term Rental Alliance
Long Beach Hosting Club
Painters & Allied Trades District Council 36
Rural County Representatives of California
San Francisco Chamber of Commerce
Short Term Rental Alliance of San Diego
Sonoma County Board of Supervisors

Opposed by:

None at this time

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 1358

Asm. Bonta, District 18, Democrat

Demographics: ancestry and ethnic origin

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

In order to better address health disparities among California residents including the health impacts of COVID-19, this bill would require the California Department of Public Health (CDPH) to establish standards for the collection and disclosure of demographic information, including race/ethnicity, employment and language, by local health departments and health care providers, including vaccination sites.

Background/Analysis

Under current law, California agencies like CDPH that collect demographic data on the ancestry or ethnic origins of state residents must disaggregate Asian and Pacific Islander categories by more specific groupings (i.e. Fijian and Tonga). These laws, though, do not require agencies to also disaggregate Hispanic, Caribbean, or Black/African American groups. Further, CDPH only sets data collection standards for local health departments and other health providers on a limited number of demographic characteristics such as the above race/ethnicity categories, but not other social indicators.

We know that health impacts from public health issues are not evenly

distributed, as currently demonstrated by the COVID-19 pandemic. In San Francisco, the Latinx community has had a disproportionately high rate of cases, Black/African Americans have experienced worse health outcomes, and Asians have been over-represented in COVID-19 deaths. These disparities cannot be addressed if adequate data on who is being most impacted is not available.

Challenge

Health disparities and populations' needs are neglected when there is a lack of correct and robust disaggregated data. The utilization of broad ethnic categories in demographic collection does not provide accurate and thorough information to solve distinct issues and support a diverse range of communities. Significant discrepancies in health outcomes can be masked by larger, combined data, potentially misdirecting initiatives and resources. The deficient collection of standardized disaggregated COVID-19 data at the state and county level has masked community-wide disparities, particularly within the API population and communities of color. For example, disproportionate impacts of COVID-19 on Asian subgroups are often overlooked, as there have been additional inequities hidden in these aggregated data.

Solution/Recommended Proposal

In order to better understand and address health disparities among California residents, AB 1358 would require:

- (1) CDPH, Department of Industrial Relations, the Department of Fair Employment and Housing to collect additional demographic data on categories for Hispanic, Latino, or Spanish groups (i.e. Mexican, Chicano, Salvadoran), Caribbean groups (i.e. Cuban, Dominican Republican, Jamaica), and Black or African American groups.
- (2) CDPH to establish standards for the collection and disclosure of demographic information by local health departments and health care providers, including vaccination sites. Specifically, standards would be set for collecting data on: (a) race/ethnicity; (b) median income; (c) employment status; (d) languages spoken; (e) occupation. Additionally, the bill requires that this data collected must be used in any state supported efforts to evaluate and address health disparities, and only aggregate data would be made public, with individual identifying information remaining confidential.

The information that would be collected under the bill is critically necessary for our public health departments and health providers to be able to respond to specific communities and populations who are the hardest hit by health disparities, including the health impacts of COVID-19. We know that populations experiencing health disparities may not receive adequate resources and care necessary to address these issues because they are not well documented and therefore go unrecognized. By incorporating and disaggregating language, race, and other data, the new and improved data will help develop effective policies and equitable resources to address underlying conditions and health disparities that vulnerable communities of color face.

Departments Impacted & Why

The San Francisco Department of Public Health already conforms to this proposed

standard through upgrades in electronic medical records, our partnership with the Regional Pacific Islander Task Force, and internal equity initiatives. This bill may impact other local health departments and health providers who do not currently collect demographic information, or who collect this information in a manner consistent with federal guidelines, which are different.

Fiscal Impact

A fiscal analysis has not yet been conducted on state impacts from bill, although they are likely to be minimal, and would only be required to extent funding is provided.

Locally, the fiscal impacts are also likely to be minimal. Some current data collection instruments and data management systems may need to be upgraded. However, this is an initial expense that would not be ongoing. Resources will also be spent on wider data analysis adjacent to the additional collection of demographics. However, this will allow our communities and agencies to have more accuracy in addressing complex issues and health inequities.

Support / Opposition

Support: Various health and equity groups at the community level (e.g. Asian Pacific Environmental Network and Bay Area Community Health Advisory Council) and state (e.g. California Pan-Ethnic Health Network and California Health+ Advocates).

Opposition: None on file.

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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 65
Sen. Skinner, District 9, Democrat
Maternal care and services

Recommended Position	
<input type="checkbox"/> SPONSOR	<input checked="" type="checkbox"/> SUPPORT
<input type="checkbox"/> SUPPORT if amended	<input type="checkbox"/> OPPOSE
<input type="checkbox"/> OTHER & Describe	

Summary

SB 65 would enact a comprehensive set of strategies, ranging from Medi-Cal coverage expansion to maternal care workforce improvements, to reduce pregnancy and postpartum death rates and infant mortality, especially for families of color.

Background/Analysis

The United States has the highest maternal mortality rate in the developed world. For Black women, the maternal mortality rate is three to four times higher than White women. Black women make up 5 percent of the pregnancy cohort in California, but 21 percent of the pregnancy-related deaths. Similar racial disparities exist in infant mortality and research now demonstrates that racism and systemic oppression are the reasons for this public health crisis. While some progress in birth outcomes has been made in the last decade, the disparities have remained unchanged. In San Francisco, Black women represent more than half of the maternal deaths, despite making up only 5 percent of births in the city.

Challenge

Each year, an estimated two-thirds of the 700 pregnancy-related deaths in the United States are considered preventable, according to a recent report by the Commonwealth Fund. In California, although the overall infant mortality rate is lower than the national average, Black babies die at a rate more than double the statewide average. Mortality rates for Native American infants is also higher than the state average. And death rates for Black pregnant and postpartum mothers are more than three times the state average.

Research points to structural racism and other socio-economic factors as playing key roles in causing racial and geographic disparities in birthing outcomes for people of color. For example, Black, Asian, and Pacific Islander people who are pregnant or in postpartum months report higher instances of unfair treatment, harsh language, and rough handling during labor and delivery hospital stays than their white peers.

Solution/Recommended Proposal

SB 65 would enact a comprehensive set of strategies to reduce pregnancy and postpartum death rates and infant mortality, especially for families of color. Specifically, the bill would:

Data Tracking and Reporting

- Establish the CA Pregnancy-Associated Review Committee to review and report on maternal deaths throughout the state, investigate racial and socioeconomic disparities, and make recommendations on best practices.
- Requires each county to annually report infant deaths to its respective local health department and requires local public health departments to establish a Fetal and Infant Mortality Review committee to investigate infant deaths to prevent fetal and infant death under specified circumstance.

Medi-Cal Coverage Expansion

- Requires Medi-Cal to provide full-spectrum doula care to all people Medi-Cal recipients who would like one during pregnancy or postpartum months
- Extends Medi-Cal eligibility for a pregnant individual for an additional 10-month period following the 60-day postpartum period

CalWORKS Expansion

- Establish the CA Guaranteed Income Pilot for Pregnant People and Infants as a 3-year pilot program, to be administered by counties that choose to participate, to test the capacity of the CalWORKs program to serve as a distribution point for monthly guaranteed income payments to pregnant people and parents or relative caretakers of a child less than 24 months of age
- Provides a monthly stipend to all low-income people who are at least 6 months pregnant and continuing through the postpartum period, lasting until the child is 2 years old
- Provides further support for pregnant individuals who are very low-income with additional CalWORKs program support beginning at verification of pregnancy, as well as removing some of the punitive rules that limit program participation

Maternal Workforce Development

- Builds a midwifery workforce by adding midwives to the Song Brown Act, which

provides funding to primary care medical residency and other medical training programs that meet the priorities of admitting underrepresented groups and those from underserved communities

Several of the strategies provided by the bill expand on efforts already underway in San Francisco. In 2017, SFDPH helped to launch a community doula program (SisterWeb) that currently offers free doula services to low-income residents through grant and general fund support. The passage of this bill will ensure the long-term sustainability of this important program once the grants have expired. Relatedly, in June of 2021, San Francisco will launch the Abundant Birth Project, a cash supplement pilot program for Black and Pacific Islander (PI) pregnant people. The pilot is funded to last two years and will reach about 75 Black and/or PI people a year. The passage of this bill will ensure that this program can persist beyond two years and will ensure that low-income pregnant people from all backgrounds, including undocumented people, will have the opportunity to access this important and effective intervention.

This bill, with its comprehensive set of strategies will start to address poverty and related stress during pregnancy through CalWORKs reform and a basic income for pregnant people. It will address racism in the health care delivery system by diversifying the midwifery workforce, providing increased access to doulas, and gathering data and creating accountability for providers. The causes of disparities in birth outcomes are multifactorial and so the solution must be as well.

Departments Impacted & Why

- DPH: (1) DPH will have to support the Maternal Mortality and Infant Mortality review work; and (2) DPH may need more providers to support patients newly eligible for extended post-partum Medi-Cal
- HSA: (1) The bill expands CalWORKs eligibility, and therefor increases the duties of county agencies like HSA administering the program (state exempted from providing funding to implement bill).

DPH reached out to HSA and Office of the Treasurer and Tax Collector, both of whom were supportive of the bill.

Fiscal Impact

- Minimal direct fiscal effect on DPH. Potential additional epidemiology staff needed for mortality data analysis and potential staff for any expanded home visiting.
- Moderate direct fiscal effect on HSA and CalWORKs. Because the bill would result in an increase in CalWORKs eligibility, thus increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.
- Potential long-term health care cost savings as a result of reduced hospital and neonatal intensive care admissions and other costs associated with poor birth outcomes and surgical interventions.

Support / Opposition

Sponsors: Black Women for Wellness Action Project; California Nurse Midwives Association; NARAL Pro-Choice California; National Health Law Program; Western Center on Law and Poverty; Women's Foundation of California - Women's Policy Institute

Opposition: none known at this time

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 5

Sen. Atkins, District 39, Democrat

Affordable Housing Bond Act of 2022

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of \$6.5 billion. Bond monies would fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs. This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election.

Background/Analysis

California has only 22 affordable and available rentals for every 100 extremely low-income households. A majority of California renters spend more than 30% of their income on housing (nearly one-third spend more than half). Too many people are one missed paycheck away from homelessness.

The State and local jurisdictions have advanced many programs and laws to support the production of affordable housing in recent years, but the lack of dedicated and reliable funding is a significant barrier for affordable housing production.

Challenge

Insufficient funding to meet the need for affordable housing continues to be a

significant barrier to San Francisco meeting its RHNA goals, which will be tripling in the upcoming cycle. Reliable funding sources for affordable housing, such as Bond funding, can advance the pipeline for affordable housing production and preservation. In San Francisco, this funding would support the implementation of affordable housing goals in the General Plan Housing Element.

In San Francisco, MOHCD currently supports affordable housing preservation and production through grants and loans, with funding from local bonds and other City sources. Nonprofit affordable housing developers also rely on a complex pool of other funding sources, including philanthropic dollars, federal tax credits, and State or Federal grants.

The State passed a \$4 billion bond in 2018 for affordable housing, helping to fund affordable housing production and preservation through key programs like MHP, IIG and TOD. San Francisco projects like Potrero Block B and Balboa Park Upper Yard received funding from these programs. State bond funding is key to providing capital for affordable housing projects and should continue through the issuance of a 2022 bond.

Solution/Recommended Proposal

This bill would allow a proposition to go to the voters in November 2022 for \$6.5 billion in bond funding for affordable housing. The State Legislature would determine the allocation of those bond funds.

Departments Impacted & Why

If approved by voters, bond funding would be allocated to HCD for key affordable housing programs that San Francisco projects will be able to compete for. State funding is necessary to move projects forward and is leveraged with local funding commitments through the Mayor's Office of Housing and Community Development.

Fiscal Impact

If approved by voters, bond funding allocated to the San Francisco would support the production of affordable housing and augment City funds for affordable housing. This would support affordable housing goals.

Support / Opposition

There is no support or opposition on file with the Senate.

Date Submitted	May 3, 2021
Submitting Department	MOHCD and Planning Department
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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 490

Senator Caballero, District 12, Democrat

Housing acquisition and rehabilitation: technical assistance

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would create the Housing Acquisition and Rehabilitation Technical Assistance Program (HARTAP) at the State Department of Housing and Community Development (HCD) for the purpose of providing technical assistance to nonprofits, community land trusts, public housing authorities, housing cooperatives, resident associations, and local governments.

Background/Analysis

Existing law establishes several housing programs that finance housing rehabilitation, including the Multifamily Housing Program (MHP), the Farmworker Housing Grant, and the Affordable Housing and Sustainable Communities Strategies (AHSC) program. The State does not currently provide a formal technical assistance program for housing rehabilitation and acquisition.

Challenge

The acquisition and rehabilitation of affordable housing is incredibly complicated to navigate and manage, involving regulations and complex funding streams.

Per the bill author: "The overwhelming majority of low-income Californians live in unsubsidized rental housing. Over the last several decades, the supply of this housing at rents that are affordable to low-income

households has sharply declined, forcing residents out of their neighborhoods to find affordable housing. It has been demonstrated that acquiring this housing, removing it from the speculative market, and preserving it as affordable, communities are able to keep vulnerable residents housed, reduce displacement, and grow the supply of deed-restricted affordable housing. Because this is a relatively new and innovative strategy, many local jurisdictions and organizations lack the necessary capacity and expertise needed to do this work effectively and equitably across the state."

Since the 1960s, developers have constructed at least 425,000 affordable rental units. Affordability restrictions typically last 30-55 years, depending on the program. Once affordability obligations expire, owners may preserve unit affordability, or they may convert them to market rate.

The California Housing Partnership Corporation (CHPC) annually assesses the loss and the risk of loss of affordable rental properties that receive public financing. As of February 2021, between 1997 and 2020, California lost 18,043 affordable homes due to owner decisions to opt out, sell, or convert to market rate. Another 30,102 affordable rental homes – or 7% of the total current supply – are at risk of conversion in the next 10 years, and 6,785 homes may no longer be affordable as soon as next year. Homes at very high, high, and moderate risk of losing affordability have the following

characteristics: 43% serve seniors, 43% serve families, and 34% are concentrated in the counties of Los Angeles, Orange, Santa Clara, San Francisco, and San Diego.

Solution/Recommended Proposal

SB 490 would create a statewide capacity building and technical assistance (TA) program to support public sector partners and mission-driven organizations—often small, community development corporations, community land trusts, and other organizations led by and serving people of color—to carry out acquisition and preservation of vulnerable affordable units, which comes with unique challenges. SB 490 builds off the State's investments in TA to build the capacity of local partners and support them to secure resources for communities across the state helping to stabilize communities.

This bill could benefit many of the housing organizations in San Francisco and the Bay Area to build their capacity to take on new projects. It would benefit future low-income residents of these projects as well.

Departments Impacted & Why

This bill is not expected to directly impact the operations or programs of any City departments.

Fiscal Impact

This bill would not have a fiscal impact on the City or its agencies.

Support / Opposition

Supporters for the bill include bill co-sponsors Enterprise Community Partners and Housing California; Council of Community Housing Organizations; Local Initiative Support Corporation (LISC) Bay Area; and The San Francisco Housing Accelerator Fund.

There is no opposition on file with the Senate.

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Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SCA 2

Sen. Allen, District 26, Democrat

Public housing projects

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This Senate Constitutional Amendment would repeal Article 34, which prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified.

Background/Analysis

Article 34 was added to the California Constitution in 1950 following the federal Housing Act of 1949, which banned explicit racial segregation in public housing. The real estate industry, unable to stop the passage of the Housing Act of 1949 at the federal level, sought to slow and stop its implementation at the state and local level.

The California Real Estate Association (known today as the California Association of Realtors) backed the November 1950 ballot initiative for Article 34. According to the argument supporting the initiative, a vote in favor of Article 34 was a vote for the right to say yes or no when a community was considering a low-income housing project. Supporters argued the need for community control was necessary because of tax

waivers, and other forms of community assistance that a public housing project required.

Article 34 requires that voter approval be obtained before any "state public body" develops, constructs, or acquires a "low rent housing project." Cities, counties, housing authorities and agencies are all "state public bodies" for purposes of Article 34. As a result, if any of those entities participates in development of a "low rent housing project" and that participation rises to the level of development, construction, or acquisition of the project by the agency, approval by the local electorate is required for the project.

Local agencies usually seek general authority from the electorate to develop low income housing prior to the identification of a specific project. For example, a typical Article 34 election might authorize construction of 500 low income units anywhere in the city or county's jurisdiction, including its housing authority or other state public bodies. Not all low- and moderate-income housing is a "low rent housing project." To clarify the requirements of Article 34, the Legislature clarified in statute that specified projects would not require voter approval, such as projects in which less than 49% of the units are occupied by low-income families; ad privately owned housing that does not receive public financing; and owner-occupied developments.

Jurisdictions that do not comply with Article 34 requirements are not eligible for state funds.

Challenge

According to the bill's authors, "California has only 22 affordable and available rentals for every 100 extremely low-income households. A majority of California renters spend more than 30% of their income on housing (nearly one-third spend more than half). Too many people are one missed paycheck away from homelessness. Article 34 was created in response to the Federal Housing Act of 1949, part of President Truman's Fair Deal to help lower-income post-war families move into better living situations. Society had very different attitudes about race, ethnicity, class, and poverty 70 years ago. There were far less tools for residents to alter or block plans for new housing—no California Environmental Quality Act, Brown Act, or Coastal Act—and far fewer lawsuits. California's voters have made it clear they want leaders to do better by those struggling to afford housing—supporting ballot measures dedicating hundreds of millions in taxpayer dollars to tackling the housing and homelessness crises. The state owes it to all taxpayers to use the money as efficiently as possible. SCA 2 will give voters an opportunity to eliminate an obstacle enshrined in the California Constitution in a bygone era, which undermines elected officials' ability to address California's acute housing and homelessness challenges."

While San Francisco received voter approval to develop 30,000 units of affordable housing through 2012 Proposition C creating the Housing Trust Fund, the City should support SCA-2 to remove barriers to affordable housing development in the State like Article 34.

Solution/Recommended Proposal

A two-thirds vote by the Legislature would repeal Article 34.

Departments Impacted & Why

This bill is not anticipated to impact City departments.

Fiscal Impact

There are no anticipated fiscal impacts to the City of San Francisco.

Support / Opposition

Co-sponsors California Association of Realtors, California Housing Consortium, California Rural Legal Assistance Foundation, California YIMBY, Merritt Community Capital Corporation, and Western Center of Law & Poverty. Other supports include Housing Action Coalition, BART, and League of Women Voters of California.

There is no opposition on file with the Senate.

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 561

Asm. Ting, District 19, Democrat

Help Homeowners Add New Housing Program: accessory dwelling unit financing

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would authorize the Treasurer, within 6 months of the effective date, to develop and administer the Help Homeowners Add New Housing Program, which would assist homeowners in qualifying for loans to construct Accessory Dwelling Units (ADUs). The bill would authorize the Treasurer to consult with the California Housing Financing Agency, the Department of Housing and Community Development, as well private lenders, community development financial institutions, community-based organizations, and local housing trust funds to develop the program. The bill would prohibit the California Housing Financing Agency from being affiliated with the program in any financial capacity.

Background/Analysis

In recent years, several State bills have increased the opportunities to construct ADUs. Currently, the only state program that provides funding for ADU construction is a pilot program under California Housing Financing Agency (CalHFA). Under this program, CalHFA is partnering with Self-Help Housing Enterprises, a community development organization based in the San Joaquin Valley, to use \$2.5

million in CalHFA funding to act as the construction lender for the City of Clovis' Cottage Home Program. The city is providing three design templates to homeowners at no cost, in addition to expedited reviews and fee waivers, for ADU projects.

Challenge

According to the bill's authors, "At a time when more families are struggling to make ends meet and the consequences of homelessness are growing, AB 561 will help get more affordable units online and money in families' pockets. As the demand for housing continues to outpace supply, accessory dwelling units (ADUs) have surged in popularity as a way to address California's housing crisis. AB 561 will help create an anticipated 50,000 ADUs over the next 5 years and provide just as many families with additional rental income by providing homeowners with bridge loans to finance ADU construction."

San Francisco has added 466 ADUs since the start of the ADU program in 2014. According to the Turner Center for Housing Innovation at UC Berkeley, the average cost to build an ADU is \$156,000. For many homeowners, accessing the capital to construct an ADU is out of reach.

ADUs are an important tool for homeowners to provide housing for family members or increase financial flexibility. As ADUs are added to existing housing stock, their impact on the built environment is

minimal. ADUs, because they tend to be smaller units, are more affordable. Through the City's waiver program, many ADUs are subject to rent control. The Turner Center found that 58% of ADUs rented at below market rate.

Solution/Recommended Proposal

This bill would allow the Treasurer to create a program to provide construction loans for homeowners who do not own more than three residential units to build ADUs and JADUs. The bill does not specify what funds the Treasurer would use to fund the program.

In San Francisco, there has been interest in creating a local program to support ADU financing, but a State program would be able to scale and manage the financing and administration better than a local program.

Departments Impacted & Why

This bill is not anticipated to impact City departments.

Fiscal Impact

There are no anticipated fiscal impacts to the City of San Francisco.

Support / Opposition

Supporters include Turner Center for Housing Innovation at the University of California, Berkeley; SPUR; American Planning Association, California Chapter; Bay Area Council; Housing Action Coalition; and Livable California.

There is no opposition on file with the Assembly.

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 9

Sen. Atkins, District 39, Democrat

Housing development: approvals

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill would require a proposed housing development containing no more than two residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing if the proposed development meets certain requirements: (1) would not require demolition or alteration of affordable housing; (2) does not demolish more than 25% of the existing exterior structural walls; and (3) and that development is not located in a historic district, listed in the State Historic Resources Inventory, or is a designated or landmark or historic property.

Background/Analysis

Planning and approving new housing is mainly a local responsibility. The Subdivision Map Act governs how local officials regulate the division of real property into smaller parcels for sale, lease, or financing. Under this Act, cities and counties can attach scores of conditions. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

Cumulatively, these local regulations can hamper housing production.

Challenge

In its most recent statewide housing assessment, HCD estimated that California needs to build an additional 100,000 units per year above recent averages of 80,000 annual units to meet the State's projected need for housing. Prior to the onset of COVID-19, California was building approximately 100,000 to 115,000 units a year in recent years, but many analysts expect homebuilding activity to drop.

A variety of causes have contributed to the state's lack of housing production. Recent reports by the Legislative Analyst's Office (LAO) and others point to local approval processes as a major factor. They argue that local governments control most of the decisions about where, when, and how to build new housing, and those governments are responding to vocal community members who may not want new neighbors. The building industry also points to California Environmental Quality Act (CEQA) review, and housing advocates note a lack of a dedicated source of funds for affordable housing.

Solution/Recommended Proposal

SB 9 is a modest and reasonable step towards addressing housing challenges by allowing small-scale, low-impact housing development. By streamlining the process for a homeowner to create a duplex or

subdivide an existing lot in sin single family zones, this bill would provide additional housing opportunities with little to no adverse impact on our existing neighborhoods. By preserving the rights of local jurisdictions to regulate development through objective design standards, SB 9 will strike the right balance between promoting housing opportunities and respecting the rights of local agencies and their communities.

San Francisco contains 75,412 parcels zoned for single family residences (49% of the city's 154,561 parcels). This bill would provide an opportunity for these single family home owners to add a second unit or develop a lot with two units ministerially, without discretionary review or public hearing. Only objective standards may be applied and only if the requirement does not preclude development of two units of at least 800 square feet in size. San Francisco's typical single family home is 1,400-1,600 square feet in area. San Francisco's Residential Design Guidelines are largely subjective and could not be enforced for these developments. Objective standards like exposure and open space are still valid, unless the requirement physically precludes development, and the rear yard and front setback requirements have been reduced to four feet. Most single-family zoned parcels require a rear yard of 30 feet currently, as a point of comparison. Regarding subdivisions, San Francisco currently has a minimum lot size of 2,500 square feet and this bill would reduce lot size requirements to 1,200 square feet, ensuring that this bill is applicable to San Francisco.

Departments Impacted & Why

The bill would require the Planning Department to modify its review and approval process for qualifying projects. The Department has both the capacity and the expertise to make the necessary changes.

Fiscal Impact

The Planning Department would see a loss of revenue from ministerial review and CEQA fees. It is anticipated that this loss would slowly increase in coming years as project take place and could be accommodated for in the budgeting process.

Support / Opposition

Supporters include the mayors of Oakland, San Diego, and Sacramento; AARP; Habitat for Humanity, Greenbelt Alliance, Nonprofit Housing Association of Northern California; and numerous YIMBY groups.

Opposition includes smaller cities and towns, including Sunnyvale, Santa Clara, Vacaville, Cupertino, and Novato; Howard Jarvis Taxpayers Association; Mission Street Neighbors;

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 10

Senator Wiener, District 11,

Planning and Zoning: Housing Development Density

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Would authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is in a transit-rich area, a jobs-rich area, or an urban infill site. Such an ordinance would not be a project under CEQA. Lighter than SB 50, this bill allows locally elective zoning change, not state-mandated changes.

Background/Analysis

Under current state laws, any upzoning by a local jurisdiction would be subject to CEQA analysis and review. In San Francisco, this process takes multiples years and millions of dollars.

Challenge

In its most recent statewide housing assessment, HCD estimated that California needs to build an additional 100,000 units per year above recent averages of 80,000 annual units to meet the State's projected need for housing. Prior to the onset of COVID-19, California was building approximately 100,000 to 115,000 units a year in recent years, but many analysts expect homebuilding activity to drop.

A variety of causes have contributed to the state's lack of housing production.

Recent reports by the Legislative Analyst's Office (LAO) and others point to local approval processes as a major factor. They argue that local governments control most of the decisions about where, when, and how to build new housing, and those governments are responding to vocal community members who may not want new neighbors. The building industry also points to California Environmental Quality Act (CEQA) review, and housing advocates note a lack of a dedicated source of funds for affordable housing.

Solution/Recommended Proposal

Per the bill author, "California's massive housing shortage is driving people into poverty and homelessness and threatening our environment, economy, and diversity. SB 10 provides cities with a powerful, fast, and effective tool to allow light-touch density exactly where it should be: near jobs, near public transportation, and in existing urbanized areas. Specifically, SB 10 allows cities, if they choose, to rezone these non-sprawl locations for up to ten-unit buildings in a streamlined way without CEQA. Given that cities face significantly increased housing production goals under the revised Regional Housing Needs Assessment (RHNA) and are required by the state Housing Element Law to complete rezonings to accommodate these goals, SB 10 is a powerful new tool for cities to use in their comprehensive planning efforts. SB 10 will help ease California's housing crisis, spurred by a statewide shortage of 3.5 million

homes, and move the state away from a sprawl-based housing policy and toward a more sustainable, equitable, and effective housing policy.”

SB 10 would exempt local agencies from complying with CEQA as they adopt zoning ordinances to allow up to ten-units on a parcel, meaning they won’t be compelled to analyze environmental impacts. However, SB 10 is limited to areas that are either jobs-rich, transit-rich, or infill, so residential development is very likely to have been considered for these areas. These areas are defined as:

- Transit-rich area: a parcel within a 1/2 mile of a major transit stop or on a high-quality bus corridor that meets certain conditions for the frequency of service;
- Jobs-rich area: identified by the Department of Housing and Community Development (HCD) as both associated with positive educational and economic outcomes for households of all incomes and close to jobs. HCD must map jobs-rich areas by January 1, 2023 based off specified existing maps developed by HCD, and updated them every five years;
- Urban infill site: located in an urbanized area or urban cluster, as defined by the US Census, or in a city where any part of the city is an urbanized area or urban cluster; has at least 75% of its perimeter adjoining parcels that are developed with urban uses; has a general plan or zoning designation for residential use or mixed use. All of San Francisco would be eligible under this criterion.

Departments Impacted & Why

This bill would provide the City with the means to increase housing supply in low density areas, which is a policy priority of the General Plan. This bill would allow the Planning Department to implement policies to increase housing supply in the near future with less staff time and cost than would be needed without SB 10. However, this would only be possible under legislation approved by the Planning Commission and the Board of Supervisors.

Fiscal Impact

The cost savings for the City of increasing density in developed areas without CEQA costs would be significant. CEQA for area plans has cost \$2-5 million, depending on the scale and scope, and can take three to five years to complete.

Support / Opposition

Supporters include Oakland’s Mayor Schaff; SPUR, BART, ABAG; Bridge Housing; Housing Action Coalition; Greenbelt Alliance.

Opposition includes California Labor Federation, AFL-CIO; Coalition for San Francisco Neighborhoods; Cow Hollow Association; Mission Street Neighbors; Livable California; Sierra Club, Telegraph Hill Dwellers.

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 478
Asm Ting, District 19, Democrat
Thermoform plastic containers: postconsumer recycled plastic

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 478 sets minimum postconsumer recycled content standards for thermoform plastic containers (mostly take out clamshells and trays) to create a circular economy that will produce, collect, and post-consumer plastic thermoformed containers. Specifically, total thermoforms sold by a producer in the state shall, on average, contain: a) From January 1, 2024 through December 31, 2026, no less than 10% postconsumer recycled plastic per year; b) From January 1, 2027 through December 31, 2029, no less than 20% postconsumer recycled plastic per year; and, c) On and after January 1, 2030, no less than 30% postconsumer recycled plastic per year.

The bill would authorize CalRecycle to conduct audits and enforce compliance. The bill would impose penalties on producers violating requirements and deposit penalties into a Recycling Enhancement Penalty Account available to use only upon appropriation by the Legislature.

The bill would require a producer to report to the department the amount and by resin type of virgin plastic and postconsumer recycled plastic used to manufacture the thermoform plastic containers sold or offered

for sale in the state in the previous calendar year that the department would post on its website.

Background/Analysis

California currently has a recycled content requirement for glass containers, which has reduced pollution and created closed-loop manufacturing in California. Today, more than 85% of glass collected for recycling is returned to California glass manufacturers. This has created jobs while reducing energy consumption, air pollution, and greenhouse gas emissions. The state also has recycled plastic content requirements for beverage bottles starting in 2022 increasing to 50% postconsumer by 2030 and some companies have taken the initiative to close the loop by using plastic bottles that contain 100% recycled content.

Challenge

There is a huge growing plastic pollution crisis with millions of tons entering the ocean yearly and production projected to triple by 2050 resulting in more plastic mass than fish. Plastics break into smaller and smaller pieces carrying toxic chemicals and spreading throughout the global environment and into food, water and air that people ingest. Plastic is a major contributor to climate change.

Recycling thermoforms overseas is no longer a viable option with the Basel

Convention export ban on mixed plastics and markets restrictions for thermoforms and insufficient domestic markets. California must develop its own markets for recycled content materials. Thermoform containers have a low collection rate and are infrequently recycled. As the state is making strides towards increasing minimum recycled content in plastic bottles, thermoforms must do the same.

Solution/Recommended Proposal

This bill sets critically needed targets for recycled content by date to drive the market for recycling thermoforms. This bill encourages efficient use of recyclable plastics and moves California towards a closed loop recycling system for polyethylene terephthalate (PET) bottles and PET thermoforms. AB 478 sets a minimum recycled content standard for thermoform containers used in food and beverage applications in California.

Departments Impacted & Why

None.

Fiscal Impact

None.

Support / Opposition

Support: sponsor Planet Earth (integrated recycler and manufacturer of recycled plastics), 350 Silicon Valley, California Alliance of Nurses for Healthy Environments, Elders Climate Action, Norcal and SoCal Chapters National Stewardship Action Council

Oppose: Foodservice Packaging Institute
Plastics Industry Association

Date Submitted	5/3/2021
Submitting Department	Environment
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 1371

Asm Friedman, Asm District 43, Democrat

Recycling plastic packaging and carryout bags

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 1371 will reduce the amount of plastic packaging by prohibiting "e-commerce" retailers from using "single-use" plastic packaging such as shipping envelopes, cushioning, void fill or polystyrene peanuts for shipping products and will increase recycling opportunities for consumers by requiring retailers to collect and recycle the plastic film and expanded polystyrene packaging they distribute by January 2023 for large online retailers and January 2025 for small online retailers.

This bill would also reinstate "at-store recycling" programs for the return of clean plastic carryout bags and durable plastic bags to the store. Stores would also have to print visibly on the plastic carryout bags or durable plastic bags they provide "Please return to a participating store for recycling" and would have to place for the consumer a visible and easily accessible collection bin in each store.

Background/Analysis

Previous California law required at-store recycling that expired in January 2020. That law required supermarkets and stores over 10,000 square feet to take plastic bags in clearly labeled and easily accessible collection bins provided by the store and

bags were required to include a label encouraging customers to return the bag to the store for recycling and authorized a city, county, or the Attorney General to levy fines for violations. There are no existing requirements for e-commerce packaging.

Challenge

There is a huge growing plastic pollution crisis. The e-commerce industry used 2 billion pounds of plastic packaging globally in 2019, with 469 million pounds from the US retailers. In 2020, consumers spent \$861 billion online up 44% over 2019. The amount of plastic packaging generated is estimated to double by 2025. Recycling markets for plastic film bags and packaging have been very limited. Less than 7% of plastic bags from US households are recycled through collection programs at grocery and big-box stores, and only three percent of non-retail bag film is collected for recycling.

Almost all of this "single-use" packaging is headed for landfill, incineration, or the environment where it pollutes waterways and oceans and with rapidly growing global plastics production and millions of tons entering the ocean by 2050 there could be more plastic mass than fish. Plastics break into smaller and smaller pieces carrying toxic chemicals and spreading throughout the global environment and into food, water and air that people ingest. Plastic production is a major contributor to climate change.

Solution/Recommended Proposal

This bill reduces the amount of plastic packaging by prohibiting online retailers from using single-use plastic and expanded polystyrene packaging and increases opportunities for recycling for consumers by requiring certain retailers to collect and recycle the plastic packaging they distribute. There are many better non-plastic e-commerce packaging options like recycled paper that then can be easily recycled.

Departments Impacted & Why

None.

Fiscal Impact

None.

Support / Opposition

Support: 350 Humboldt, California Interfaith Power and Light, California League of Conservation Voters, California Product Stewardship Council, Californians Against Waste, CALPIRG, Center for Food Safety, Friends Committee on Legislation of California, Greentown, Los Altos, Heal the Bay, Northern California Recycling Association, Oceana, Plastic Oceans International, Plastic Pollution Coalition,, San Francisco Bay Area Physicians for Social Responsibility, Save Our Shores, Seventh Generation Advisors, Sierra Club, California Surfrider Foundation, The 5 Gyres Institute, The Center for Oceanic Awareness, Research, and Education, The Climate Center, The Last Plastic Straw, Upstream, Wholly H2O, Wishtoyo Chumash Foundation, Zero Waste USA

Oppose: Foodservice Packaging Institute, Plastics Industry Association

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Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 54

Sen Allen, District 26, Democrat

Plastic Pollution Producer Responsibility Act

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

SB 54 will prohibit producers of single-use, disposable packaging or foodware producers from offering for sale, selling, distributing, or importing in or into the state those products manufactured after January 1, 2032, unless it is recyclable or compostable. The author's intent as expressed in the SEQ bill analysis is also to "set waste-reduction and recycling goals and establish a framework for packaging producers to keep the most problematic disposable items out of our environment."

Background/Analysis

California has a 75% source reduction, recycling and composting goal by 2020, but this rate has dropped substantially and below 40% for the state due in part to restrictions and reduced value in global markets and limited state or domestic market demand. The Sustainable Packaging for the State of California Act of 2018 prohibits a food service facility located in a state-owned facility from serving on-site prepared food in foodware that is not approved by CalRecycle as reusable, recyclable or compostable. This author previously proposed a comprehensive plastic producer responsibility bill as SB 54 that fell short by just

a few votes at the end of the last legislative session.

Challenge

There is a huge growing plastic pollution crisis with 30 million tons disposed in the US. Global production at over 335 million tons is projected to triple by 2050 resulting in more plastic mass than fish in the oceans. Plastics break into smaller and smaller pieces carrying toxic chemicals and spreading throughout the global environment and into food, water and air that people ingest. "Single use" or nonreusable plastic packaging and foodware are driving rapid growth in plastics. China has banned the import of nearly all plastics followed by widespread market restrictions, while the Basel Convention bans export of mixed plastics. This combined with insufficient mandates or incentives for companies to replace fossil fuel derived virgin plastic with recycled plastic as resulted in less 15% of single use plastic recycled or composted in CA. This creates a financial burden on communities to manage and clean up plastic products.

Solution/Recommended Proposal

The European Union and other major purchasers of consumer goods are implementing comprehensive frameworks for producers to share responsibility for reducing waste and designing packaging and products to be reusable, recyclable, and/or compostable. As the world's fifth-largest economy, California must take the lead on finding solutions to the growing

plastic pollution crisis. SB 54 will ensure California is on the forefront of reducing pollution and the ratepayer costs associated with “single-use” packaging and foodware. The bill will set waste-reduction and recycling goals and establish a framework for packaging producers to keep the most problematic disposable items out of our environment. These actions will help local governments save millions of dollars.

Departments Impacted & Why

None

Fiscal Impact

No negative fiscal impact.

Support / Opposition

Support: Californians Against Waste and 350 Bay Area Action 350 Sacramento 350 Silicon Valley Active San Gabriel Valley Azul SB 54 (Allen) Page 10 of 11 California Alliance of Nurses for Healthy Environments California Catholic Conference California League of Conservation Voters Calpirg Students Calpirg, California Public Interest Research Group Carlsbad; City of Center for Biological Diversity Elders Climate Action, Norcal and Social Chapters Environment California Environmental Working Group Friends Committee on Legislation of California Heal the Bay Indivisible CA Statestrong Northern California Recycling Association Plastic Oceans International Plastic Pollution Coalition, a Project of Earth Island Institute Pleasanton; City of Save Our Shores Seventh Generation Advisors Sierra Club California South Bay Cities Council of Governments The 5 Gyres Institute The Center for Oceanic Awareness, Research, and Education Tomra North America, INC. Trinity Respecting Earth and Environment (TREE) Upstream Wholly H2o Wishtoyo Chumash Foundation Zero Waste USA.

Oppose: Air Conditioning, Heating and Refrigeration Institute American Bakers Association American Chemistry Council American Cleaning Institute American Institute for Packaging and Environment (AMERIPEN) Auto Care Association California Chamber of Commerce California Farm Bureau California Food Producers California

Manufacturers & Technology Association California Restaurant Association Californians for Recycling and The Environment SB 54 (Allen) Page 11 of 11 Cawa Chemical Industry Council of California Council for Responsible Nutrition Dart Container Corporation Flexible Packaging Association Foodservice Packaging Institute Household and Commercial Products Association National Aerosol Association National Confectioners Association Personal Care Products Council Pet Food Institute Plastics Industry Association Western Aerosol Information Bureau Western Growers Association Western Plastics Association

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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 345

Sen. Becker, District 13, Democrat

Energy programs and projects: nonenergy benefits

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill will establish common definitions of nonenergy benefits and try to determine consistent values and methodologies for use in assigning priority access to authorized funds by distributed energy resource programs, including energy efficiency.

Background/Analysis

CPUC cost-effectiveness. The CPUC administers or requires the state's investor-owned energy utilities (IOUs) to administer, a number of programs that make financial incentives or awards available for DER projects. DERs are defined as distribution-connected distributed generation resources, energy efficiency, energy storage, electric vehicles, and demand response technologies, which are supported SB 345 (Becker) Page 3 of 5 by a wide-ranging suite of CPUC policies. Traditionally, for many of these programs, CPUC evaluation hinges on a cost-effectiveness test to ensure ratepayer funds are expended on projects that provide value to ratepayers. In assessing the value of DER investments, the CPUC relies on the Total Resource Cost (TRC) Test which represents the broadest range of perspectives, including the utility and participant costs and benefits. The CPUC also utilizes additional complementary cost-effectiveness tests.

Non-energy benefits - Non-energy benefits may be integrated into some DER programs. For example, non-energy benefits are a consideration with the Energy Savings Assistance program, a program providing weatherization and appliances for qualified low-income participants. These non-energy related benefits include water savings, comfort, and safety. However, application of nonenergy benefits are NOT applied universally or considered consistently across CPUC ratepayer-funded programs. This is a partly due to the difficulty of placing a generally agreed-upon quantifiable value on non-energy benefits. This difficulty does not mean, however, such benefits are nonexistent, as in the case with ESA program.

CEC Barriers report. In assessing the barriers and challenges for low-income and disadvantaged communities to access energy efficiency and clean energy programs, a report completed by the CEC, recommended "[e]stablish(ing) common definitions of nonenergy benefits, develop standards to measure them, and attempt to determine consistent values for use in all energy programs."

Challenge

Right now, nonenergy benefits are mostly ignored by the CPUC when appropriating funding for local energy efficiency programs.

Solution/Recommended Proposal

This bill seeks to have greater consideration for the non-energy benefits within the DER

programs funded by ratepayers. Specifically, SB 345 requires the CPUC to: (1) establish common definitions for nonenergy benefits and attempt to determine consistent values for use in all DER programs, (2) incorporate nonenergy benefits in DER programs and projects, and (3) track the nonenergy benefits produced in DER programs during program evaluations. The author and proponents of this bill believe such an effort would result in better valuing certain non-energy benefits important to environmental and social justice benefits of DERs.

Departments Impacted & Why

ENV will be impacted because ENV administers and implements ratepayer-funded energy efficiency programs. Such programs are considered a part of DER in this bill. The impact could be expanded funding to serve residents and businesses in disadvantaged and low-income communities.

Fiscal Impact

The CPUC already quantifies and considers nonenergy benefits in some programs, but not consistently. This bill will make that more consistent and will direct the CPUC to incorporate nonenergy benefits when selecting which projects to fund while still requiring all projects to be cost-effective. Since these nonenergy benefits are typically larger for low-income and disadvantaged communities, these changes will help them access a larger share of existing funding for DER and energy efficiency. And by having the CPUC track nonenergy benefits across programs, this bill will also give us a more complete view of all of the costs and benefits of projects funded through these programs, including the co-benefits to the participants and their communities that are often not being tracked and reported today.

Support / Opposition

Supported by:

350 Silicon Valley
California Housing Partnership
California League of Conservation Voters
California Solar & Storage Association
Ceres

Courage California
Elders Climate Action NorCal Chapter
Elders Climate Action SoCal Chapter
Environmental Defense Fund
GRID Alternatives
Menlo Spark
Natural Resources Defense Council
People Organizing to Demand
Environmental & Economic Rights
Rising Sun Center for Opportunity
School Energy Coalition
Self-Help Enterprises
The Greenlining Institute
Union of Concerned Scientists
Voices for Progress 3 Individuals

Opposed by:

California Association of Realtors
California Building Industry Association
California Chamber of Commerce
California Farm Bureau Federation
California League of Food Producers
California Manufacturers & Technology Association
Coalition of California Utility Employees
Energy Users Forum
Independent Energy Producers Association
Western States Petroleum Association

Date Submitted	4/5/2021
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Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 726
Sen. Gonzalez, District 33, Democrat
Alternative fuel and vehicle technologies: Sustainable
Transportation Strategy

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

demonstration, and deployment projects that reduce emissions from fleets in the goods movement and public transit sectors.

Summary

This bill would require the state board and the State Energy Resources Conservation and Development Commission, in coordination with specified state agencies, to jointly develop a comprehensive transportation sustainability strategy, to be adopted by state agencies identified in the strategy. The bill would require, as part of the 2022 update of the scoping plan, the state board to set a greenhouse gas emissions reduction target for the whole transportation sector. The bill would require the Governor to identify and appoint one key lead agency to steer the coordination of zero-emission vehicle deployment across state agencies and to implement the zero-emission vehicle component of the strategy developed by the state board and commission.

This bill would revise and recast the Energy Commission's Alternative and Renewable Fuel and Vehicle Technology Program, to include funding eligibility for projects that provide the advanced vehicle infrastructure needed to support the zero-emission and alternative-fueled vehicle deployment to meet the state's climate goals. Sample eligible projects to include medium- and heavy-duty vehicle infrastructure, vehicle, research, pilot,

Background/Analysis

Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law requires the commission to give preference to those projects that maximize the goals of the program based on specified criteria and to fund specified eligible projects, including, among others, alternative and renewable fuel projects to develop and improve alternative and renewable low-carbon fuels.

Challenge

Current funding levels for the state's transportation sustainability programs were not set to meet its current zero-emission vehicle (ZEV) deployment goals. As an example, the funding levels for the Alternative and Renewable Fuel and Vehicle Technology Program were established in 2007, well before the current ZEV goals were established.

The amount of public subsidy needed to meet the current ZEV goals is unknown. The

state's clean transportation programs should raise sufficient funding so that, in conjunction with federal subsidy programs, private sector investment, and other state and federal regulatory actions, the state will achieve its goals.

This bill provides a needed update to expand funding eligibility for the Alternative and Renewable Fuel and Vehicle Technology Program, which will expand funding opportunities that the City may access to support City goals and strategies.

Solution/Recommended Proposal

This bill aligns with the City's ZEV goals and strategies, as described in the Citywide EV Roadmap. Specifically, this is an opportunity for the San Francisco EV Roadmap to integrate into a much larger, state-wide Roadmap. The revitalization and recasting of the CEC Alt Fuel program could create new funding opportunities for San Francisco projects.

Departments Impacted & Why

Department of the Environment, potential funding source for Citywide EV Roadmap implementation.

Fiscal Impact

No research found.

Support / Opposition

None currently on record.

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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 717

Asm. Stone, District 29, Democrat

Prisoners: identification cards

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 717 will require the California Department of Corrections and Rehabilitation (CDCR) to provide a California Identification card or driver's license to every person released from state prison.

Background/Analysis

A government-issued identification (ID) card is essential to securing healthcare, employment, housing, and public benefits such as Medi-Cal and CalFresh. An ID is critical to build a successful life in the community including getting a job, accessing healthcare, opening a bank account, renting an apartment and acquiring benefits. An ID is more vital than ever amidst the COVID-19 (Coronavirus) pandemic because it allows people to visit their primary care providers, as opposed to visiting local emergency rooms that are overburdened by the pandemic.

Yet, securing a form of identification in the community can be overwhelming. Often, one must order a birth certificate for \$25 and wait one or more months; if born in New York City, for example, the current wait is 20 weeks. After receiving the birth certificate, they must schedule an appointment with the Department of Motor Vehicles (DMV), pay another \$33 to \$38, and wait another 3-4 weeks. Meanwhile, they

have no access to income, healthcare, housing, or banks. These barriers to successful reintegration increase rates of recidivism and contribute to mass incarceration.

The existing CAL-ID Program provides an avenue for eligible individuals to obtain a valid California ID upon their release from any CDCR facility. However, the program's narrow edibility criteria inhibits most people from receiving ID cards. The criteria excludes people who have been incarcerated for more than 10 years, individuals with outstanding DMV fines, and those currently without documentation such as their social security card or birth certificate.

According to CAL-ID Program data from July to December 2019, CDCR released 16,528 people from custody. Only 29% of these individuals were released with IDs, leaving 71% of these individuals without identification.

To reduce the transmission of COVID-19, Governor Newsom's administration has been necessarily accelerating the release of people from incarceration. Unfortunately, most people leave without identification and have limited access to DMVs. A legal ID has always been a lifeline for people returning home from prison, and its importance has only compounded amidst the pandemic.

Challenge

AB 2308 (Stone, 2014) expanded the Cal-ID program in an attempt to ensure that all people being released from state prisons would be released with ID. Yet, to be eligible

for program, a person must have previously held a California ID, have a recognizable photo on file with the DMV from within the last 10 years, possess a DMV-verifiable social security number, birth date, and proof of legal presence in the United States, and must not owe any fines or fees.

Solution/Recommended Proposal

AB 717 will require CDCR to process original, renewal, and duplicate requests for California ID cards and driver's licenses. Specifically, this bill would require CDCR to:

- Ensure all CDCR facilities have necessary equipment to process California ID cards, including DMV-approved cameras
- Assist incarcerated people with obtaining necessary documents such as birth certificates and social security cards
- AB 717 (Stone) Expanding the California Identification Program 2
- Establish an expeditious timeline for people in prison to obtain the necessary documents for an original, renewal, or duplicate ID
- Provide an annual report on the implementation of the CAL-ID Program

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

1. Costs (General Fund (GF)) ranging from \$12 million to \$13 million dollars annually in additional staffing costs associated with providing driver's licenses or identification (ID) cards to inmates. In accordance with an interagency agreement between CDCR and DMV, it has been negotiated and budgeted for DMV to issue up to 20,664 identification cards each fiscal year from July 2018 through June 2021 at a cost of \$9.00 per ID (at a total cost of \$185,976 per fiscal year). This bill requires CDCR to ensure that all inmates released from state prison, not just those inmates characterized as eligible, are provided a valid driver's license or ID card. This may significantly increase the number of

cards CDCR is required to verify and facilitate before an inmate is released from custody.

2. Costs (GF), likely in the millions of dollars to tens of millions of dollars, to DMV in additional staff and infrastructure to coordinate with CDCR to issue driver's licenses and IDs.

Support / Opposition

Supported by:

San Francisco Public Defender
 San Francisco District Attorney's Office
 A New Way of Life Reentry Project (co-sponsors)
 Anti-Recidivism Coalition (co-sponsor)
 California Coalition for Women Prisoners (co-sponsor)
 Los Angeles Regional Reentry Partnership (co-sponsor)
 Our Road Prison Project (co-sponsor)
 Root & Rebound (co-sponsor)
 San Diego County District Attorneys (co-sponsor)
 San Diego Reentry Roundtable (co-sponsor)
 W. Haywood Burns Institute (co-sponsor)
 A Helping Hand in Recovery
 Alameda County Public Defender's Office
 American Civil Liberties Union of California
 ARI Works Advance Reentry Initiative
 Blameless and Forever Free Ministries
 California Attorneys for Criminal Justice
 California Catholic Conference
 California Public Defenders Association
 California Reentry Program
 Californians for Safety and Justice

No Opposition on file

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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 990

Asm. Santiago, District 53, Democrat

Prisons: inmate visitation

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

AB 990 would increase access to visits and calls in California prisons.

Background/Analysis

Visits keep families connected. Research clearly establishes that children are more emotionally stable and healthy if they maintain frequent contact with their incarcerated parents.

Visits help incarcerated people thrive after release. Research also shows that regular visits and communication with loved ones improve in-custody behavior and help incarcerated people thrive after release by providing them with a social support system to fall back on.

Challenge

Unfortunately, California is not realizing the full benefits of visiting. Because of numerous practical barriers, as few as 10% of incarcerated people receive visits in many institutions.

Visits can be denied for reasons unrelated to visiting security. Visits are frequently denied based on immaterial omissions or inaccuracies on visitor applications even though the information is available on a criminal background report. Visits are denied based on law enforcement histories unrelated to visiting, which greatly

restricts visiting in communities heavily impacted by policing. Visiting is treated as a privilege, not a right, since the repeal of visiting as a PC 2601 civil right in 1995.

Inadequate facilities and hours are barriers to visits and calls. Visits used to be available 7 days a week, but are now offered only 2 days a week, which causes severe overcrowding and early termination of visits. Phone calls are limited to 15 minutes, video calls to 30 minutes a month, and insufficient devices are available.

Disrespect and unpredictability are barriers to visits. Visiting rooms are alienating and even traumatizing for children, who are searched by guards and then not allowed to touch or play with their parents. Disrespect is also a major barrier for adults, especially women whose clothing is scrutinized and who are unnecessarily subjected to strip searches.

Costs and travel time are barriers to visits. Cost and travel time are significant obstacles in this large state with prisons located in remote areas. Family members often drive for hours and pay for food and lodging only to have their visits cut short due to overcrowding or arbitrary rule enforcement.

Solution/Recommended Proposal

1. Recognize Visiting as a Civil Right of Family Members

- a) Recognize in-person contact visiting as a civil right of family members that can be denied only for:
 - Serious abuse of visiting access,

- Inadequate identification, or
 - Nonconsent of the incarcerated person
- b) Specifically prohibit denials based on:
- Disciplinary action for non-visiting violations Restricted housing status
 - Omissions or inaccuracies on application if shown on DOJ report
 - Visitor's or incarcerated person's criminal history if unrelated to visiting
- c) Restore visiting as civil right of incarcerated people
- d) Establish a visitor application review committee with participation of directly-impacted people
- e) Ensure meaningful judicial review and enforcement of visiting rights
- 2. Increase Visiting & Calling Facilities and Hours**
- a) Offer in-person visits and free calls daily 8a-8p Provide limited-access tablets/cellphones free to incarcerated people.
- b) Provide emergency calls and visits to seriously ill and hospitalized incarcerated people.
- c) If in-person visiting is impossible due to a pandemic, replace all hours with free video calls
- 3. Make Visiting Rooms More Family-Friendly**
- a) Require minors to be screened by social workers rather than correctional officers; strip searches to be conducted by medical staff; and property searches to be done in the presence of the visitor.
- b) Restrict the reasons guards can terminate a visit:
- Permit enforcement only of published regs
 - Clarify clothing requirements
 - Clarify physical contact requirements and permit hand holding, non-intimate touching, holding children on laps
 - Require a warning before termination
- c) Provide a visitor/caller advocate in visiting and video calling rooms

4. Make Visiting Hours More Reliable

Limit the reasons visits can be cancelled and provide accommodations and additional hours if cancellations occur.

5. Provide Transportation Assistance if Prison is Distant from Home

Provide transportation assistance to a primary support person (and minors) if incarcerated person is placed more than 100 miles away

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

Unknown

Support / Opposition

Supported by:

Co-authors:

Asm. Ash Kalra; Asm. Mark Stone;
Sen. Sydney Kamlager; Sen. Nancy Skinner

Co-sponsors:

Coalition for Family Unity
A New Way of Life
All of Us or None
Anti-Recidivism Coalition (ARC)
The Bail Project
California Families Against Solitary
Essie Justice Group
Root & Rebound
Young Women's Freedom Center

Opposed by:

California Correctional Peace Officers
Association
California State Sheriffs' Association Riverside
Sheriffs' Association
Sheriffs' Association

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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 1007

Asm. Carrillo, District 51, Democrat

Forced or Involuntary Sterilization Compensation Program

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

This bill establishes the Forced or Involuntary Sterilization Compensation Program (FISCP) to provide compensation to women forcibly sterilized under California's eugenic laws, as well as those sterilized without medical necessity or demonstrated informed consent while incarcerated in state prison, county jail or a state or local mental health facility. This bill also requires the FISCP be administered by the California Victims Compensation Board (CalVCB).

Background/Analysis

In 1909, California authorized the involuntary sterilization of people who were institutionalized that were deemed "unfit for reproduction." The state went on to administer the most aggressive eugenic sterilization program in the United States, sterilizing more than 20,000 people statewide. Research indicates that the majority of eugenic sterilizations affected women and girls, with Latinas being 59% more likely to be sterilized.

Though the state's eugenic law was repealed in 1979, a later state audit revealed 144 people were sterilized during labor and delivery without proper consent while incarcerated in California women's prisons from 2006 to 2010. 94 out of 144 women

captured in the state audit (65%) described themselves as Black, Hispanic, Mexican, or other. An additional 100 women were involuntarily sterilized in prison during labor and delivery dating back to the late 1990s, as well as a small number of forced sterilizations performed during other surgeries.

Current law prohibits the sterilization of people incarcerated in county jails and state prison facilities for the purpose of birth control and offers additional protections to prevent coercion surrounding non-medically necessary sterilizations outside the scope of birth control.

Solution/Recommended Proposal

AB 1007 will provide acknowledgment of this injustice by establishing a program to compensate confirmed survivors who were sterilized in California state institutions and prisons. In 2022, when the bill would go into effect, there will be an estimated 350 surviving individuals sterilized under eugenics laws and 250 survivors of prison sterilization abuse.

Additionally, markers or plaques will be placed at designated sites, raising awareness of the unjust sterilization of thousands of women.

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

1. Cost pressure (GF), likely in the millions of dollars annually, to compensate victims of forced sterilization until all victims of forced sterilization are identified and all eligible applications are reviewed. This bill states the FISCOP will become operative only upon an appropriation to CalVCB. There are approximately 700 victims of forced sterilization by a California state agency. If 25% of these victims receive \$25,000 each, the total cost for compensation will be approximately \$4.4 million dollars. Additionally, Cal VCB does not have discretion to deny compensation to any claimant who is a qualified, so costs may be higher if more than 25% of claimants apply for compensation.
2. Costs (GF) of approximately \$1.4 million dollars to CalVCB to administer the FISCOP, including additional staff and outreach costs over a three year period to provide compensation to possibly eligible victims.
3. Costs (GF) of approximately \$200,000 for the Department of State Hospitals to hire one twoyear limited-term position to provide records at the request of CalVCB.
4. Cost (GF) in fiscal years 2021-22 and 2022-23 in the low hundreds of thousands of dollars for the Department of Developmental Services to hire one additional position for a little more than two years.
5. Costs (GF), possibly in the mid-hundreds of thousands of dollars annually, to the Secretary of State in increased workload to confer with CalVCB on determinations for eligibility.
6. Likely minor and absorbable costs to the California Department of Corrections (CDCR) to provide notice to possible victims and access to inmate or patient records.

California Asian Americans Advancing Justice
 California Association of Regional Center Agencies
 Black Women Birthing Justice
 California Coalition for Women Prisoners
 California Immigrant Policy Center
 California Pan - Ethnic Health Network
 California Physicians Alliance
 California Prison Focus
 California Public Defenders Association (CPDA)
 California Women's Law Center
 Center for Genetics and Society Center for Reproductive Rights
 Citizens for Choice
 Crime Survivors for Safety and Justice
 Critical Resistance Dignity and Power Now
 Disability Rights California Disability Rights
 Education and Defense Fund Dolores Huerta Foundation
 Ella Baker Center for Human Rights
 Empowering Pacific Islander Communities (EPIC)
 End Solitary
 Santa Cruz County Fair Chance Project
 Fairview Families and Friends, INC Felony
 Murder Elimination Project
 Feminist Majority Foundation
 Forward Impact DbA Represent Justice
 Fresno Barrios Unidos
 Lawyering for Reproductive Justice
 California Legal Services for Prisoners With
 California National Association of Social Workers,
Opposed by:
 None on record

Support / Opposition

Supported by:

California Latinas for Reproductive Justice (sponsor)
 Alliance for Humane Biotechnology
 American Association of University Women –

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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 262

Sen. Hertzberg, District 18, Democrat

Bail

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

SB 262 would require zero-dollar bail for most misdemeanor and felony offenses; require the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for the exempt offenses; and require the return of money or property paid to obtain bail, as specified.

Background/Analysis

Existing law provides a process whereby the court may set a bail amount for a criminal defendant. (Penal Code Section 1269b.) Additionally, Section 12 of Article 1 of the California Constitution provides, with limited exceptions, that a criminal defendant has a right to bail and what conditions shall be taken into consideration in setting bail. A defendant may post bail by depositing cash or an equivalent form of currency, provide a security in real property, or undertake bail using a bail bond.

The bail bond is the most likely means by which a person posts bail and is essentially a private party contract that provides the court with a guarantee that the defendant will appear for a hearing or trial. A defendant pays a licensed bail agent a percentage of the total amount of bail ordered as a non-refundable fee – often an amount in the range of 10%. The bail agent will contract with a surety company to issue a bail bond –

essentially, an insurance policy. The bond is issued providing that if the defendant fails to appear, the county will receive the full amount of bail set by the court. The bond is provided to the court and, if accepted, the defendant is released. As designed, the bail system often allows the court to rely on the private sector to ensure appearances and provide a means for the county to be made whole in the event that a person fails to appear.

While the main purpose of a bail bond is to provide some assurance that a defendant will return to court to resolve the pending charges, courts also consider the danger a released defendant will pose to the public or specific persons. Bail is set through a bail schedule that lists preset amounts of bail for various crimes. A committee of judges in each county promulgates the bail schedule for that county. (Pen. Code § 1269b, subd. (c).) A defendant or the prosecution can move the judge presiding over a particular case to raise or lower the amount of bail, or the defendant can request release on his or her own recognizance. (Pen. Code § 1275.) Additional statutory rules apply if the defendant is charged with a serious felony or domestic violence. (Pen. Code § 1270.1.)

The existing bail system has come under scrutiny because of claims that it does not promote public safety and it unfairly penalizes defendants who are poor while allowing defendants who have means to buy their way out of jail. The Chief Justice of the

California Supreme Court set up a working group to study pretrial detention practices and provide recommendations for reform. The study found that California's "pretrial and release detention system unnecessarily compromises victim and public safety because it bases a person's liberty on financial resources rather than the likelihood of future criminal behavior and exacerbates socioeconomic disparities and racial bias." (Judicial Council of Cal., Pretrial Detention Reform: Recommendations to the Chief Justice (2017), p. 1.) The working group recommended several reforms including implementing a robust risk-based pretrial assessment and supervision to replace the monetary bail system.

On any given day in California, 63% or roughly 46,000 people in the state's jails are awaiting trial or sentencing, and 97% of those who make bail use a bail agent to secure their release. This means that thousands of Californians accused of crimes end up paying a fee to stay out of jail, before ever being found guilty by a judge or jury.

The current pretrial framework, including the process of bail, presents staggering costs not only for people accused and their families, but for local governments, which pay an average of \$100 per day to hold someone in jail pending trial. By comparison, the Pretrial Justice Institute reports that the cost of supervising a person in the community is about 10% of the cost of keeping them in jail. These costs – both human and financial – are unjustifiable.

Solution/Recommended Proposal

SB 262 would:

- Require bail to be set at zero dollars for all offenses except specified exempt crimes (see Background, above, for a list of those offenses).
- Require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses.
- State the intent of the Legislature to enact further changes to current law to ensure that a defendant is not detained pending trial simply due to an inability to pay for the amount of bail in the statewide schedule.

- Require specified sheriff, police, and court employees who are allowed to approve and accept bail to approve and accept bail in the amount fixed by the bail schedule.
- Allow the bail bond licensee to retain a surcharge of up to 5 percent of the amount paid by the arrestee or on behalf of the arrestee.

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

- The Judicial Council reports a one-time annual cost of \$563,000 and ongoing annual costs of \$170,000 for workload associated with preparing, adopting, and revising a statewide bail schedule. (General Fund)
- The Department of Insurance reports potential workload costs of \$8,000 in FY 2021- 2022, \$38,000 in FY 2022-2023, and \$14,000 annually thereafter in processing additional surety rate filings. (Special fund*)
- Unknown, likely-minor workload cost savings to the superior courts in the 58 counties to no longer have to annually revise uniform countywide bail schedules. (Special fund**)

Support / Opposition

Supported by:

Unknown

Opposed by:

Unknown

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Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

SB 271

Sen. Wiener, District 11, Democrat

County sheriffs: eligibility requirements

Recommended Position

- | | |
|--|--|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Senate Bill 271 restores California's long-standing eligibility criteria for candidates seeking the office of Sheriff. Specifically, SB 271 allows all registered voters to run for Sheriff. From our state's founding in 1850 until 1989 — 139 years — California operated under what SB 271 proposes: anyone could run for Sheriff. In 1989, the law changed to allow only law enforcement officers to run for Sheriff. This severe restriction is unreasonable, dramatically shrinks the pool of eligible candidates, and effectively eliminates accountability for Sheriffs since so few people can challenge them for reelection. This dysfunction plays out regularly in California, with some Sheriffs refusing to enforce state law around immigration or refusing to enforce public health orders around COVID-19.

Background/Analysis

Current law requires that candidates seeking the office of Sheriff possess a certificate from the Peace Officers Standards and Training (POST) and some combination of salaried law enforcement experience, as defined in Government Code §24004.3. In 1988, this law was enacted in response to prisoners' rights attorney Michael Hennessey's successful campaign to be Sheriff for San Francisco County. Sheriff Hennessey was reelected

seven times, and after serving for thirty-two years, he was widely admired and the longest tenured Sheriff in state history. His long service as Sheriff led to a backlash from law enforcement, who preferred Sheriffs to be former police officers with POST certificates.

These new eligibility requirements have restricted who can be Sheriff to a very narrow pool, and have led to elections without much competitiveness or differentiation between candidates. Additionally, the lack of candidate diversity harms statewide efforts to reimagine public safety. In 2014, only nineteen of California's fifty-eight counties had a contested Sheriff election. In 2020, sitting Sheriffs included only four females, three Latinx individuals, and two Japanese-Americans. There are no black Sheriffs. The remaining forty-nine Sheriffs are white males, which does not reflect California's demographic makeup.

Today, Sheriffs are essentially managers of a large bureaucracy. In large counties, they manage thousands of employees, the vast majority of whom are unarmed, non-sworn civilians. The three primary duties of the Sheriff are to police unincorporated areas, operate the county jail, and attend to and execute orders of the courts. In 41 counties, the Sheriff is also the Coroner whose authority includes investigating the cause of in-custody deaths. Sheriffs can be the most powerful elected official in a county and yet only a small pool of people may seek the position.

Nationwide, only fifteen states including California require law enforcement experience prior to seeking the office of Sheriff.

Challenge

Protests against police brutality have called for elected officials to reimagine public safety by, among other things, shifting some duties away from armed officers to unarmed civilians and social workers. The criteria imposed by the state in Gov. Code §24004.3 has significantly narrowed the pool of candidates for office of the Sheriff and makes it harder to reimagine our criminal justice system.

Many current Sheriffs lack mental health or de-escalation training. As recent COVID-19 outbreaks in our jails demonstrates, the skills Sheriffs need to protect public safety include strong management, leadership, and the ability to move quickly and make difficult decisions, rather than the ability to fire a weapon. Lawsuits throughout the state are raising awareness of the dire inadequacy of health care and mental health services provided in our county jails. Moreover, the ongoing cooperation between many Sheriffs and the U.S. Immigration and Customs Enforcement (ICE) further demonstrates that many Senator Scott Wiener, 11th Senate District Senate Bill 271 – The Sheriff Democracy and Diversity Act SB 271 Fact Sheet – Updated 4.19.21 elected Sheriffs do not share the values of their constituents. We have also seen Sheriffs refusing to enforce health orders while California’s death and hospitalization numbers rose.

Solution/Recommended Proposal

SB 271 simply reverts California law to what it was from the State’s founding until 1989 and thus allows voters to choose from a broader pool of candidates with more diverse backgrounds and skill sets and greater accountability. This bill will not prevent candidates with law enforcement experience from seeking or occupying the office. Instead, SB 271 will allow for a broader pool of candidates with more diverse skill sets, lead to greater gender and ethnic

diversity in candidates, and provide for better management of Sheriff departments.

Departments Impacted & Why

No other departments impacted.

Fiscal Impact

None

Support / Opposition

Supported by:

San Francisco District Attorney, Chesa Boudin
 San Francisco Public Defender
 California Immigrant Policy Center (co-sponsor)
 NextGen California (co-sponsor)
 Secure Justice (co-sponsor)
 Wellstone Democratic Renewal Club (co-sponsor)
 California Faculty Association (co-sponsor)
 Anti Police-Terror Project
 Asian Americans Advancing Justice – California
 Alameda County Public Health Commission
 American Civil Liberties Union of California
 Californians for Safety and Justice
 California Nurses Association
 California Public Defenders Association
 Change Begins with Me Indivisible Group
 City of Alameda
 City of Emeryville
 Coalition for Humane Immigrant Rights (CHIRLA)
 Coalition for Police Accountability
 Ella Baker Center for Human Rights

Opposed by:

California Statewide Law Enforcement Association