



**STATE LEGISLATION  
COMMITTEE**  
**Wednesday, May 22, 2024**  
**10:00am – 12:00pm**  
**City Hall, Room 201**

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above. Members of the public may view the meeting by clicking the link below or calling the below number provided:

<https://sfpublic.webex.com/sfpublic/j.php?MTID=m5552088a3f1a0e15f8a917f5e8b0cfa2>

**Meeting ID:** 2662 134 7780 **Meeting Password:** TmfHxMNs844  
**Join by Phone at** +1-415-655-0001 (Please dial # after entering the Meeting ID to view the meeting)

*(Public Comment Instructions available on page 7)*

**Members**

Mayor's Office (Chair) – Eileen Mariano  
Supervisor Dean Preston -- Preston Kilgore  
Supervisor Connie Chan -- Frances Hsieh  
Assessor's Office -- Holly Lung  
City Attorney's Office -- Rebekah Krell  
Controller's Office -- Hannah Kohanzadeh  
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 on April 24, 2024.

**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.

## **New Business**

### **San Francisco Public Utilities Commission**

Presenter: Scott Ammon

AB 2054 (Bauer-Kahan): Energy: employment, gifts, and rates.

***Recommended Position: Support***

The bill would require investor-owned utilities (IOUs) such as Pacific Gas and Electric Company (PG&E) to submit an application for rate recovery to the California Public Utilities Commission (CPUC) for any costs recorded in balancing accounts which exceed their authorized forecast. For these costs, the bill would require the CPUC to conduct a reasonableness review before authorizing IOUs to recover the costs in rates. For wildfire expenses, the bill requires IOUs to include in their application a cost-benefit analysis of the proposed expenses and at least one credible alternative. If the CPUC approves costs for IOU rate recovery, the bill authorizes the CPUC to allocate cost recovery between ratepayers and shareholders. The bill would also prohibit leadership at the CPUC, the CPUC's Public Advocates Office, and the California Energy Commission (CEC) from accepting employment (for at least 3 years) or receiving gifts from any entity subject to their regulation.

The SFPUC recommends a support position for AB 2054.

### **Department of Homelessness and Supportive Housing**

Presenter: Dylan Schneider

SB 1361 (Blakespear): California Environmental Quality Act: exemption: local agencies: contract for providing services for people experiencing homelessness.

***Recommended Position: Support***

SB 1361 exempts from the California Environmental Quality Act (CEQA) any actions taken by local agencies related to contracting for services for people experiencing homelessness, and further defines what "services" entail under its provisions, to ensure timely and impactful responses to the homelessness crisis in California.

### **San Francisco Adult Probation Department**

Presenters: Victoria Westbrook and Alek Hartwick

AB 1186 (Bonta): Realizing Equity while Promoting Accountability and Impactful Relief (REPAIR) Act.

***Recommended Position: Support***

AB 1186 modifies and enhances California's current youth restitution system, so it may effectively provide survivors with more equitable, timely, and stable compensation.

### **San Francisco Adult Probation Department**

Presenter: Victoria Westbrook and Alek Hartwick

AB 1986 (Bryan): State prisons: banned books.

***Recommended Position: Support***

AB 1986 requires the Office of Inspector General (OIG), which is an independent

agency that oversees CDCR, to post CDCR's Centralized List of Disapproved Publications publicly. It will also require CDCR to remove a publication from its list if the OIG finds that there is insufficient evidence to ban a book. AB 1986 is a Black Caucus Reparations priority.

### **San Francisco Adult Probation Department**

Presenter: Victoria Westbrook and Alek Hartwick

SB 1001 (Skinner): Death penalty: intellectual disabled persons.

#### ***Recommended Position: Support***

Existing state law and rulings by the US Supreme Court have deemed the execution of a person who is intellectually disabled as cruel and unusual punishment. Intellectual disability is defined as someone who has below average intelligence and whose life skills, before adulthood, demonstrate difficulty in thinking and understanding that impacts conceptual, social, and practical skills.

SB 1001 would provide important safeguards to California's existing law to help prevent the execution of those who are intellectually disabled. Specifically, SB 1001 would retain the requirement that a person's intellectual disability had to be present when they were young, e.g.; during their developmental period, but would not require the disability to have been formally diagnosed during that time period.

### **San Francisco Adult Probation Department**

Presenter: Victoria Westbrook and Alek Hartwick

SB 1005 (Ashby): Youth Courts.

#### ***Recommended Position: Support***

SB 1005 gives statutory authority for minors, with referral from a probation officer and consent of the minor's parent, to waive traditional juvenile court system hearing and sentencing procedures and experience a court of fellow minors.

### **San Francisco Municipal Transportation Agency**

Presenter: Katie Angotti

AB 1777 (Ting): Autonomous vehicles.

#### ***Recommended Position: Support and Seek Amendments***

This bill would make a number of changes to the California Vehicle Code to require autonomous vehicle (AV) manufacturers to comply with a number of new requirements aimed at improving interactions and communication with emergency responders. It also would require new data reporting from AV companies with testing or deployment permits. Finally, it would ensure that AVs can be cited for moving traffic violations, and clarifies that the Department of Motor Vehicles (DMV) may impose incremental enforcement actions against AV manufacturers who do not comply with the provisions of the bill.

### **The Department of Environment**

Presenter: Huy Le

SB 1143 (Allen): Household hazardous waste producer responsibility.

***Recommended Position: Support***

SB 1143 will require producers of household hazardous consumer products to fund and ensure convenient access to a system for the safe collection, transportation, and disposal of household hazardous waste (HHW), shifting the cost burden of managing HHW disposal from local jurisdictions and ratepayers to the producers.

**The Department of Public Health**

Presenter: Max Gara

AB 2075 (Alvarez): Resident Access Protection Act.

***Recommended Position: Oppose Unless Amended***

AB 2075 would enact the Resident Access Protection Act which grants a resident of a long-term care (LTC) facility the right to in-person, onsite access to a visitor and health care and social services providers during any public health emergency (PHE) in which visitation rights of residents are curtailed by a state or local order. This bill would set a concerning precedent of limiting the authority of public health officers and their ability to protect public health in a declared emergency.

**The Department of Public Health**

Presenter: Max Gara

AB 2132 (Low): Health care services.

***Recommended Position: Support***

AB 2132 would mandate testing and preventive treatment for tuberculosis (TB) in primary care settings by requiring providers to conduct TB risk assessments and provide or refer for follow-up care as recommended by the US Preventive Task Force (USPTF).

**The Department of Public Health**

Presenter: Max Gara

AB 2871 (Maienschein): Overdose fatality review teams.

***Recommended Position: Support & Amend***

To improve local coordination in the response to the ongoing overdose crisis, AB 2871 would authorize a county to establish an interagency overdose fatality review (OFR) team. The team would be able to assist with identifying and reviewing overdose fatalities, facilitate communication among the various entities involved with responding to overdoses, and integrate local overdose prevention efforts through strategic planning, data dissemination, and community collaboration.

**The Department of Public Health**

Presenter: Max Gara

SB 1251 (Stern): Mosquito abatement inspections.

***Recommended Position: Support***

SB 1251 would require investor-owned utilities to enter into an agreement with a mosquito abatement or vector control district, or city or county health department within 180 days of a request to allow the district to inspect the utility vaults.

## **The Department of Public Health**

Presenter: Max Gara

SB 1333 (Eggman and Roth): Communicable diseases: HIV reporting.

### ***Recommended Position: Support***

SB 1333 allows the California Department of Public Health (CDPH) and local health departments (LHDs) to disclose personally identifying information in public health records of persons with HIV or AIDS for the coordination of, linkage to, or reengagement in care.

## **Mayor's Office of Housing and Community Development**

Presenter: Kyra Geithman

AB 2353 (Ward): Property taxation: welfare exemption: delinquent payments: interest and penalties.

### ***Recommended Position: Support***

AB 2353 would ensure nonprofit affordable rental housing developers can access the existing welfare property tax exemption without floating unnecessary tax payments while their application is under review, reducing the cost of constructing affordable housing.

Earlier this legislative cycle, Asm. Ward introduced AB 86, which also would have allowed nonprofit developers to access the welfare tax exemption. The State Legislation Committee approved a "Support" position, with the Assessor's Office abstaining. Asm. Ward has been working with the California Assessors' Association to address concerns. Currently, no formal opposition has been submitted by any organizations.

## **V. GENERAL PUBLIC COMMENT**

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## **VI. ADJOURNMENT**

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## **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](mailto: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](http://www.sfgov.org/sunshine.htm).

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**Meeting ID:** 2663 498 0092 **Meeting Password:** hCZVSqQh332  
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*(Public Comment Instructions available on page 6)*

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Mayor's Office (Chair) – Eileen Mariano  
Supervisor Dean Preston -- Preston Kilgore  
Supervisor Connie Chan -- Frances Hsieh  
Assessor's Office -- Holly Lung  
City Attorney's Office -- Rebekah Krell  
Controller's Office -- Hannah Kohanzadeh  
Treasurer's Office -- Eric Manke

**AGENDA**

Meeting commenced at 10:03am.

**I. ROLL CALL**

Present: Eileen Mariano, Preston Kilgore, Frances Hsieh, Tina Novero, Hannah Kohanzadeh, and Eric Manke. Tina Novero represented the Assessor's Office.

Absent: Rebekah Krell.

**II. APPROVAL OF MEETING MINUTES (Action Item).** Discussion and possible action to approve the minutes from the meeting on February 28, 2024.

Motion to Approve: Hannah Kohanzadeh  
Seconded by: Eric Manke



Approved: 6-0

**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.

**New Business**

**Department of Public Health**

Presenter: Max Gara

SB 1184 (Eggman): Mental health: involuntary treatment: antipsychotic medication

***Recommended Position: Support***

This bill amends Lanterman-Petris-Short Act bill to require the determination of a person's incapacity to refuse treatment with antipsychotic medication to remain in effect for the 14-day period (or additional 30-day period following 14-day).

Public Comment: No public comment.

Motion to Support SB 1184: Eric Manke

Seconded by: Hannah Kohanzadeh

Approved: 6-0

**Department of Public Health**

Presenter: Max Gara

AB 1842 (Reyes): Health care coverage: Medication-assisted treatment

***Recommended Position: Support***

This bill would expand access to medications for the treatment of substance use disorders by prohibiting health plans from subjecting medications such as naloxone buprenorphine and long-acting injectable naltrexone to prior authorization or step therapy.

Public Comment: No public comment.

Motion to Support AB 1842: Eric Manke

Seconded by: Hannah Kohanzadeh

Approved: 6-0

**Mayor's Office of Housing and Community Development**

Presenter: Kyra Geithman

AB 1789 (Quirk-Silva): Department of Housing and Community Development

***Recommended Position: Support***

AB 1789 would empower the California Department of Housing and Community Development (HCD) to provide loans or grants for rehabilitating, capitalizing operating subsidy reserves, and extending the long-term affordability of housing projects that qualify as “challenged developments.”

Public Comment: No public comment.  
Motion to Support AB 1789: Preston Kilgore  
Seconded by: Eric Manke  
Approved: 6-0

### **San Francisco Public Utilities Commission**

Presenter: Scott Ammon

AB 2221 (Carrillo): Broadband projects: electric power design approval.

***Recommended Position: Oppose***

This bill requires applications from broadband providers for providing power to equipment installed on utility poles to be “deemed approved” by publicly-owned electric utilities (electric POU) and investor-owned utilities (IOU) if not approved or denied within 45 days. The bill requires electric POU and IOU to provide a written notice within 10 days to providers if their application is deemed incomplete. The bill also requires electric POU and IOU to adopt and publish all applicable requirements 12 months in advance of an application.

For approved applications, electric utilities would have 14 days to provide a cost estimate for work needed to accommodate the electric power design. If the applicant accepts the cost estimate within 45 days, the bill would require electric utilities to complete energization of the project within 30 days.

The SFPUC recommends an oppose position for AB 2221.

Public Comment: No public comment.  
Motion to Support AB 2221: Eric Manke  
Seconded by: Preston Kilgore  
Approved: 6-0

### **San Francisco Public Utilities Commission**

Presenter: Rebecca Peacock

AB 2962 (Papan): Wholesale Regional Water System Security and Reliability Act.

***Recommended Position: Support***

This bill would amend the Wholesale Regional Water System Security and Reliability Act, which requires the City and County of San Francisco to adopt a specified program of capital improvement projects designed to restore and improve the SFPUC’s Bay Area Regional Water System. Existing law makes the Act inoperative and repeals its provisions on January 1, 2026.

AB 2962 would extend the repeal date of the Act to January 1, 2036 to allow for the continued oversight and completion of certain capital improvement projects, and any further adjustments to project schedules through the next 12 years.

The San Francisco Public Utilities Committee (SFPUC) recommends a Support position for AB 2962.

Public Comment: No public comment.  
Motion to Support AB 2962: Preston Kilgore  
Seconded by: Eric Manke  
Approved: 6-0

## **Department of Environment**

Presenter: Charles Sheehan

SB 1066 (Blakespear): Marine Flare Producer Responsibility Act.

### ***Recommended Position: Support***

This bill will require producers of marine flares to fund and operate a convenient collection system to manage expired or unwanted flares, which are toxic and explosive, to ensure they are properly disposed of to not pollute the water or environment.

Public Comment: No public comment.  
Motion to Support SB 1066: Eric Manke  
Seconded by: Preston Kilgore  
Approved: 6-0

## **San Francisco Fire Department**

Presenter: Chief Michael Mason

SB 1180 (Ashby): Health care coverage: Emergency Medical Services.

### ***Recommended Position: Support***

SB 1180 will direct health care service plans that are issued, amended, or renewed on or after January 1, 2025, to provide reimbursement coverage for the services that are provided by a community paramedicine, triage to alternate destination, or mobile integrated health program.

This bill would benefit San Francisco in several ways: 1) Provide reimbursement for a significant portion of SFFD's Community Paramedicine Division's responses (approximately 16,000 responses per year), provide reimbursement for the SFFD's EMS Division's ambulance transports to the Department of Public Health's (DPH) Sobering Center, and incentivize private EMS providers to transport their patients to the Sobering Center.

Anticipated impacts include financial sustainability of alternate response programming (such as the Street Crisis Response Team, California's largest alternate-to-law-enforcement mental health crisis response program), a reduction in Emergency Department overcrowding as EMS providers are correctly incentivized to transport patients to more appropriate forms of care, and potentially improved ambulance response times as these units are able to offload patients faster at alternate destination sites.

Public Comment: No public comment.  
Motion to Support SB 1180: Hannah Kohanzadeh  
Seconded by: Frances Hsieh  
Approved: 6-0

### **San Francisco Human Services Agency**

Presenter: Susie Smith

AB 2636 (Bains): Mello-Granlund Older Californians Act.

***Recommended Position: Support***

AB 2636 (Baines) modernizes term of use throughout the Older Californians Act and repeals obsolete provisions. The bill also updates findings and declarations relating to statistics and issues of concern for older Californians. It also increases flexibility to Area Agencies on Aging to develop and deliver community based programs.

Public Comment: No public comment.  
Motion to Support AB 2636: Preston Kilgore  
Seconded by: Frances Hsieh  
Approved: 6-0

### **V. GENERAL PUBLIC COMMENT**

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### **VI. ADJOURNMENT**

Meeting ended at 10:56 am.

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# State Legislation Committee Proposal Form

This form should be used to submit legislative proposals for consideration by the State Legislation Committee. We ask that you keep your submissions under two pages. Before submission, proposals must be reviewed and approved by the Department Head or Commission. Please send completed forms to Eileen Mariano at [Eileen.f.mariano@sfgov.org](mailto:Eileen.f.mariano@sfgov.org) and Joshua Cardenas at [Joshua.Cardenas@sfgov.org](mailto:Joshua.Cardenas@sfgov.org).

Date Submitted	5/7/2024
Submitting Department	San Francisco Public Utilities Commission
Contact Name	Scott Ammon
Contact Email and Phone Number	<a href="mailto:sammon@sfgwater.org">sammon@sfgwater.org</a> ; 415-407-5208
SLC Meeting Presenter	Scott Ammon
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 2054

### Assemblymember Rebecca Bauer-Kahan, Assembly District #16, D-Orinda Energy: employment, gifts, and rates.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended  
 OPPOSE     OTHER

#### Summary

The bill would require investor-owned utilities (IOUs) such as Pacific Gas and Electric Company (PG&E) to submit an application for rate recovery to the California Public Utilities Commission (CPUC) for any costs recorded in balancing accounts which exceed their authorized forecast. For these costs, the bill would require the CPUC to conduct a reasonableness review before authorizing IOUs to recover the costs in rates. For wildfire expenses, the bill requires IOUs to include in their application a cost-benefit analysis of the proposed expenses and at least one credible alternative. If the CPUC approves costs for IOU rate recovery, the bill authorizes the CPUC to allocate cost recovery between ratepayers and shareholders. The bill would also prohibit leadership at the CPUC, the CPUC's Public Advocates Office, and the California Energy Commission (CEC) from accepting employment (for at least 3 years) or receiving gifts from any entity subject to their regulation.

The SFPUC recommends a support position for AB 2054.

#### Background/Analysis

As the cost of electric service rises, many California ratepayers are experiencing increasingly high electric rates. The CPUC approves the amounts (Revenue Requirements) each IOU can collect from their ratepayers. These amounts are approved through proceedings at the CPUC. For example, every 4 years, an IOU files a General Rate Case (GRC) proposal. As part of the GRC, the CPUC approves the IOU's Rate Base, which is the capital base on which the IOU is allowed to earn a rate of return.

However, IOUs request additional cost recovery via various other proceedings. For example, the IOUs also recover costs in rates through Balancing Accounts (costs that are expected but cannot be estimated accurately) and Memorandum Accounts (costs that were not reasonably foreseen in the IOU's last GRC, such as spending related to catastrophic events). The CPUC's Public Advocates Office has reported that since 2020, IOUs have requested recovery for over \$14 billion in wildfire-expenses alone through

these accounts.<sup>1</sup> If authorized, these expenses are approved for rate recovery from electric ratepayers, including CleanPowerSF ratepayers.

### **Challenge**

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Whereas the SFPUC is committed to providing its ratepayers with reliable and efficient service while keeping rates affordable, AB 2054 would help ensure that recovery of certain costs by PG&E from ratepayers (including CleanPowerSF ratepayers) is just and reasonable before recovery is authorized. By authorizing the CPUC to allocate approved expenses between both ratepayers and shareholders, the bill would provide the CPUC with the ability to help contain certain costs while requiring shareholders pay their fair share. Additionally, by regulating the acceptance of employment and gifts by CPUC and CEC leadership from the entities which they regulate, the bill would increase the ethical standards by which regulators must adhere to while performing critical oversight functions.

### **Solution/Recommended Proposal**

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The SFPUC recommends a support position for AB 2054.

### **Departments Impacted & Why**

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As IOU expenses recorded in balancing accounts which are approved for recovery by the CPUC may be allocated to IOU ratepayers including CleanPowerSF ratepayers, the bill provides the CPUC with the ability to reduce the amount of costs allocated to CleanPowerSF ratepayers.

### **Fiscal Impact**

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If AB 2054 becomes law, the bill's (1) requirement for the CPUC to conduct a reasonableness review of excess costs recorded in IOU balancing accounts and (2) authorization of the CPUC to allocate

approved costs for rate recovery across ratepayers and shareholders have the potential to reduce rates for CleanPowerSF ratepayers. However, as the cost allocation mechanism is optional, the fiscal impact of the bill on the SFPUC and San Francisco cannot be reasonably estimated.

### **Support / Opposition**

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#### Support

California Environmental Justice Alliance  
Action, a Project of Tides Advocacy  
California Solar & Storage Association  
Media Alliance  
Sonoma County Democratic Party  
Sustainable Rossmoor  
The Climate Center  
The Utility Reform Network (TURN)

#### Oppose

California State Association of Electrical Workers  
California Water Association  
Coalition of California Utility Employees  
Edison International and Affiliates, Including Southern California Edison  
Pacific Gas and Electric Company and Its Affiliated Entities  
San Diego Gas and Electric Company  
Sempra Energy Utilities/SDG&E/SoCalGas

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<sup>1</sup> Slide 7, presentation of Linda Serizawa, "Affordability Concerns in the Electric Sector," March 6, 2024; Assembly

Utilities and Energy Committee hearing, State Capitol Room 437;  
<https://autl.assembly.ca.gov/system/files/2024-03/2-linda-serizawa-pao-assembly-utilities-energy-hearing-final.pdf>





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Date Submitted	May 10, 2024
Submitting Department	HSH
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Contact Email and Phone Number	<a href="mailto:Emily.cohen@sfgov.org">Emily.cohen@sfgov.org</a> , 415-307-3584
SLC Meeting Presenter	Dylan Schneider
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 1361

Senator Catherine Blakespear, Senate District #38, D-Encinitas, California

### Environmental Quality Act: exemption: local agencies: contract for providing services for people experiencing homelessness.

#### Recommended Position

SPONSOR  SUPPORT  SUPPORT if amended  OPPOSE  OTHER & Describe

#### Summary

SB 1361 exempts from the California Environmental Quality Act (CEQA) any actions taken by local agencies related to contracting for services for people experiencing homelessness, and further defines what “services” entail under its provisions, to ensure timely and impactful responses to the homelessness crisis in California.

#### Background/Analysis

CEQA is designed to: (a) make government agencies and the public aware of the environmental impacts of a proposed project; (b) ensure the public can take part in the review process; and (c) identify and implement measures to mitigate or eliminate any negative impact the project may have on the environment. CEQA is enforced by civil lawsuits that can challenge any project’s environmental review.

Existing law does the following:

- Requires that lead agencies must prepare ND, MND, or EIR for projects, unless exempt from CEQA; draft EIR required if project may significantly impact the environment.
- Exempts from CEQA Extensions for general plan elements in cities or counties.
- Provides exemptions under CEQA for housing development for low/moderate incomes if reviewed by another public agency.

SB 1361 would add the following language to Section 21080.10 of the Public Resources Code, regarding homelessness:

- (C) (1) Actions taken by a local agency to approve a contract for providing services for people experiencing homelessness.

- (2) The services described in paragraph (1) may include, but are not limited to, case management, resource navigation, security services, residential services, and counseling services.

---

### **Challenge**

California accounts for both 49% of all unsheltered people in the U.S. and 28% of all people experiencing homelessness in the country. This critical situation is largely attributed to the high cost of living in the state and the underdevelopment of housing.

In recognition of California’s homelessness crisis, the Legislature has passed numerous CEQA exemptions for affordable and temporary housing to expedite project developments. The Legislature has also created a process that is not subject to CEQA, to site and permit Locally Based Navigation Centers (LBNCs), which provide temporary shelter and social services to Californians who are unhoused through AB 101. However, while actions to permit and site LBNC’s are not subject to CEQA, executing contracts for services at LBNC’s are not explicitly exempt from CEQA. Thus, these reforms risk delaying and worsening proven homelessness reduction services by not allowing their implementation to go unmitigated.

---

### **Solution/Recommended Proposal**

By offering a CEQA exemption for local governments involved in executing contracts for homelessness services, and further defining “services” to include case management, resource navigation, security services, residential services, and counseling services, this bill would further dismantle barriers that impede on local governments’ capacity to provide aid to thousands of people experiencing homelessness throughout the state.

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### **Departments Impacted & Why**

The following departments within the City and County of San Francisco work closely to provide various essential homelessness services:

- The Department of Homelessness and Supportive Housing (HSH)
- The Department of Public Health (DPH)
- The Capital Planning Committee (CPC)

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### **Fiscal Impact**

No anticipated fiscal impact to the City and County of San Francisco.

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### **Support / Opposition**

**Support:** City of San Diego (Sponsor), City of Thousand Oaks, CalChamber, California Apartment Association, LeadingAge California, League of California Cities, PATH (People Assisting the

Homeless), the Steinberg Institute, Rural County Representatives of California, Mayor Darrell Steinberg (City of Sacramento), Housing California, All Home.

**Opposition:** None



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<b>Date Submitted</b>	April 19, 2024
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<b>Contact Name</b>	Victoria Westbrook/Alek Hartwick
<b>Contact Email and Phone Number</b>	victoria.westbrook@sfgov.org, 415-930-2202; alek.hartwick@sfgov.org, 628- 652-2341
<b>SLC Meeting Presenter</b>	Victoria Westbrook/Alek Hartwick
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES      X NO
<b>Reviewed and approved by Commission?</b>	X YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

## AB 1186

### Assemblymember Mia Bonta, Assembly District #18, D-Oakland, Realizing Equity while Promoting Accountability and Impactful Relief (REPAIR) Act.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

#### Summary

*AB 1186 modifies and enhances California's current youth restitution system, so it may effectively provide survivors with more equitable, timely, and stable compensation.*

#### Background/Analysis

*California's current youth restitution system is not working. It fails to live up to its goals of ensuring victims receive what they need, when they need it, to heal and move forward. Instead, it harms both survivors and young people. Each year, California counties order restitution from thousands of young people to be paid to crime survivors based on the loss suffered or harm endured. However, minors are functionally indigent as they are too young to work, have academic obligations, and are legally restricted from establishing any earning capacity. As such, minors ordered to pay restitution and their parents, who are held jointly and severally liable, are often unable to pay these orders. Research shows only 21% of the ordered youth restitution is collected each year. The young people that cycle through the juvenile legal system are mostly Black and brown, and mostly come from low-income families.*

*This system not only fails to adequately compensate survivors, it is actively causing further harm in the communities where survivors live. Because most young people cannot pay their orders, survivors typically receive delayed or no compensation for the harm or losses endured. Reliance on revenue from youth and their families is such an inconsistent revenue source, one study found that as few as 4% of survivors received any form of restitution payment. Furthermore, since victims and survivors often live in the same communities, the stress of having to pay an unattainable debt impacts a community as a whole. In order to avoid debt, a young person or their family is often forced to forego basic necessities in order to pay. This type of concentrated toxic stress further marginalizes Black and brown neighborhoods.*

*This inability to pay restitution results in the accumulation of insurmountable debt and lasting harm for young people and their families. Debt from restitution never expires and cannot be discharged in bankruptcy proceedings. Many young people who are ordered to pay restitution enter adulthood with a debt that threatens their economic security.*

Finally, collecting restitution is costly and inefficient for counties. Counties waste millions on collection efforts, spending an estimated \$0.66 to collect each dollar, while recovering only 21% of overall restitution ordered to young people.

### **Challenge**

While California's youth restitution system is intended to help survivors address economic loss, it relies on the discretion of a court system tainted by racial bias to procure resources that young people simply do not have. This ineffective costly system harms young people and their families, while failing to address the needs of survivors. The current system also fails to center community healing.

### **Solution/Recommended Proposal**

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AB 1186, the Realizing Equity while Promoting Accountability and Impactful Relief (REPAIR) Act removes the statutory authority of courts to order restitution to youth and their families, alleviating the harm done to young people and their families by California's current youth restitution system. To hold youth accountable, adequately address harm, and facilitate healing, young people will instead participate in restorative justice programs, community service or other employment, skill-building or mental health programs. AB 1186 will also ensure survivors now receive adequate and timely compensation for economic loss incurred by seeking compensation through California Victim Compensation Board (CalVCB).

### **Departments Impacted & Why**

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Public Defender's Office, District Attorney's Office

### **Fiscal Impact**

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The CalVCB reports one-time costs of \$1.8 million which consist of consultant fees and Project Approval Life Cycle costs through the Department of Technology, in order to create a new database in order to process restitution orders in a timely manner, and annual, ongoing costs of \$2.7 million 6.0 permanent positions, \$200,000 for annual server and storage costs, and \$14,000 for an annual licensing contract (Restitution Fund, General Fund).

The Restitution Fund is the source of CalVCB reimbursements. It operated under a structural deficiency for a number of years. Although revenue has remained consistent, expenditures have outpaced revenues since FY 2015-16. The 2023-24 budget includes \$39.5 million ongoing General Fund (GF) allocation to backfill declining fine and fee revenues in the Restitution Fund and allow the California Victim Compensation Board to continue operating at its current funding level. This bill would require additional funding from the GF in order to maintain existing obligations and cover the costs of juvenile restitution orders.

Budget Trailer bill AB 160 (2022) expanded various payments under the victim compensation program to qualifying applicants. However, those provisions of AB 160 were made contingent upon General Fund moneys over the multiyear forecasts beginning in 2024 - 25 being available to support ongoing augmentations and actions, and subject to an appropriation being made to backfill the Restitution Fund to support the actions.

### **Support / Opposition**

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#### **SUPPORT**

Debt Free Justice California (Sponsor)  
ACLU Cal Action  
All of Us or None - Legal Services of Prisoners with Children  
Anti-Recidivism Coalition  
Attorney General Rob Bonta  
Californians for Safety and Justice  
California Public Defenders Association  
Center on Juvenile and Criminal Justice  
Ceres Policy Research

Children's Defense Fund-California  
City and County of San Francisco  
Communities United for Restorative Justice (CURYJ)  
Dignity and Power Now  
Ella Baker Center for Human Rights  
Fresh Life Lines for Youth  
Friends Committee on Legislation of California  
Initiate Justice

*Lawyers' Committee for Civil Rights of the  
San Francisco Bay Area  
National Association of Social Workers  
California Chapter  
National Consumer Law Center  
Peace Anger Love  
Prosecutors Alliance California*

*Root & Rebound; Smart Justice California  
San Francisco Financial Justice Project  
San Francisco Public Defender's Office  
Young Women's Freedom Center*

**Oppose**  
*California District Attorneys Association*



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<b>Date Submitted</b>	April 19, 2024
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<b>SLC Meeting Presenter</b>	Victoria Westbrook/Alek Hartwick
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES      X NO
<b>Reviewed and approved by Commission?</b>	X YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 1986**  
**Assemblymember Isaac G. Bryan, Assembly District**  
**#55, D-Los Angeles,**  
**State prisons: banned books.**

**Recommended Position**

- SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

**Summary**

AB 1986 requires the Office of Inspector General (OIG), which is an independent agency that oversees CDCR, to post CDCR's Centralized List of Disapproved Publications publicly. It will also require CDCR to remove a publication from its list if the OIG finds that there is insufficient evidence to ban a book. AB 1986 is a Black Caucus Reparations priority.

**Background/Analysis**

In the last couple of years the movement to ban books has spread across the country. In California, many school boards across the state have tried to ban books written by diverse authors of color who share stories of historically underrepresented communities. In 2023, Governor Newsom warned county and district superintendents that they would face an investigation by the Attorney General if they attempted to ban books from their classrooms. The American Library Association discovered that among the 87 challenged books, most of them centered on LGBTQ issues.

Similarly, prisons use book bans as a tool to limit access to education and impact nearly 2 million people in prisons and jails on any given day, nationally. In California, CDCR bans books they deem not to be in the penological interest of the state- and with great inconsistency. CDCR's process of what books, articles, and other pieces of information it bans is not public and they are not required to publicly post a list of their banned books.

In 2023, The California Reparations Task Force recommended addressing the issue of prison book bans in their report. They aim to address the censorship of African American creative works by examining whether written work, or publications featuring the stories or experiences of African American people should be removed from the list of banned books. They also recommended that CDCR provide criteria and justification for banning particular books and require evidence that a book ban is an effective means of accomplishing a legitimate stated purpose.

**Challenge**

Books are more than just sources of information and entertainment; they are bridges to other cultures and tools for empowerment and transformation that assist with rehabilitation. Access to

knowledge is essential to rehabilitation and it helps people reintegrate into society since more than 95% of incarcerated people eventually return home.

CDCR lacks transparency regarding their banned books list. CDCR is not required to publicize a list and it is difficult for people to know what books the department unilaterally has decided to ban. Through Public Records Act requests, The Marshall Project received some information on what books may be currently banned in California prisons as of January 2022. The state cannot continue to rely on a non-profit organization for updates on what books are banned.

Additionally, there is no transparency and accountability with CDCR's process to ban books. The books currently banned seem to be disproportionately written by Black authors, Latino artists, and activists are on the banned list. There are also educational books that include visual dictionaries and multiple atlases.

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### **Solution/Recommended Proposal**

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*AB 1986 will require the OIG to post the CDCR Centralized List of Disapproved Publications on its website. The posting will allow for transparency on what books CDCR has deemed necessary to ban for incarcerated individuals despite their literary value. AB 1986 also requires CDCR to remove a publication from its banned list if the OIG finds that there is insufficient evidence to ban the book in the first place. This will create accountability for CDCR's decision process. Together, these transparency and accountability measures on CDCR's process for banning books can prevent the erasure of Black authors and remove the limitations placed on educational and cultural books.*

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### **Departments Impacted & Why**

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*No Departments Impacted.*

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### **Fiscal Impact**

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*Fiscal Impact Unknown.*

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### **Support / Opposition**

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#### **Support**

Initiate Justice (Sponsor)  
ACLU California Action  
Alliance for Boys and Men of Color  
Asian Americans Advancing Justice  
Black Women Organized for Political Action (BWOPA)  
Books Beyond Bars at UCLA  
Boundless Freedom Project  
California Alliance for Youth and Community Justice  
California Black Power Network  
California Immigrant Policy Center  
California Public Defenders Association  
Californians for Safety and Justice  
Californians United for a Responsible Budget  
Chicago Books to Women in Prison  
Children's Defense Fund  
Communities United For Restorative Youth Justice  
Courage California  
Ella Baker Center for Human Rights

Fair Chance Project  
Felony Murder Elimination Project  
Friend's Committee on Legislation of California  
Grip Training Institute  
Initiate Justice Action  
La Defensa  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Legal Services for Prisoner With Children  
Los Angeles Regional Reentry Partnership (LARRP)  
Los Angeles County Democratic Party  
Michelson Center for Public Policy  
MILPA Collective  
Oakland Privacy  
PEN America  
Prison FTIO  
Root & Rebound  
Rubicon Programs



Safe Return Project  
San Francisco Public Defender  
Santa Cruz Barrios Unidos  
Sister Warriors Freedom Coalition  
The Transformative In-Prison Workgroup  
The Amelia Ann Adams Whole Life Center  
Uncommon Law  
UC Berkeley's Underground Scholars  
Initiative (USI)  
Young Women's Freedom Center



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<b>SLC Meeting Presenter</b>	Victoria Westbrook/Alek Hartwick
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

## SB 1001

### Senator Nancy Skinner, Senate District #9, D-Berkeley

#### Death penalty: intellectual disabled persons.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

#### Summary

Existing state law and rulings by the US Supreme Court have deemed the execution of a person who is intellectually disabled as cruel and unusual punishment. Intellectual disability is defined as someone who has below average intelligence and whose life skills, before adulthood, demonstrate difficulty in thinking and understanding that impacts conceptual, social, and practical skills.

SB 1001 would provide important safeguards to California's existing law to help prevent the execution of those who are intellectually disabled. Specifically, SB 1001 would retain the requirement that a person's intellectual disability had to be present when they were young, e.g.; during their developmental period, but would not require the disability to have been formally diagnosed during that time period.

#### Background/Analysis

In *Atkins v. Virginia* (2002), the U.S. Supreme Court held that the execution of intellectually disabled individuals violates the Eight Amendment's prohibition on cruel and unusual punishments. In 2003, California codified this prohibition in SB 3 (Burton), and in 2020, AB 2512 (Stone) updated and modernized the statute to adopt current clinical standards for diagnosing intellectual disability.

However, these prior bills did not adequately account for the fact that some people with legally defined intellectual disabilities were not able to be formally diagnosed while they were young and in their developmental period.

#### Challenge

Research demonstrates that many people with intellectual disabilities do not receive proper diagnosis in childhood. Only 41% of adults with intellectual or developmental disabilities are currently served through the disability system in the United States. Intellectually disabled individuals evade diagnosis for many reasons. Families lacking health care coverage or living in areas without

clinics or specialists who can administer the necessary tests for such a diagnosis may not have had the means or ability to determine their child's intellectual disability.

Schools also vary in what testing and services may be available, leaving many children undiagnosed and untested. These socio-economic and other barriers can prevent the determination of an intellectual disability during a person's developmental stage. This does not mean that a person is not intellectually disabled, it only means the person was not able to obtain such a diagnosis before adulthood.

---

**Solution/Recommended Proposal.**

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SB 1001 will help ensure that California is not executing people who meet the legal definition of being intellectually disabled by:

- Allowing someone to show, through evidence, such as medical evaluation, diagnosis and testing, and testimony that they were intellectually disabled before the end of their developmental period;
- Codifying court rules to clarify the procedures used when the prosecutor seeks additional testing of the individual;

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**Departments Impacted & Why**

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N/A

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**Fiscal Impact**

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N/A

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**Support / Opposition**

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**SUPPORT**

California Anti-Death Penalty Coalition (source)  
8th Amendment Project  
Alliance for Boys and Men of Color  
Amnesty International USA  
California Alliance for Youth and Community Justice  
California Attorneys for Criminal Justice  
California Catholic Conference  
California Innocence Coalition  
California Public Defenders Association  
Californians for Safety and Justice  
Californians United for a Responsible Budget  
Communities United for Restorative Youth Justice  
Death Penalty Focus  
Disability Rights California  
Ella Baker Center for Human Rights  
Faith in Action East Bay  
Felony Murder Elimination Project  
Friends Committee on Legislation of California  
Full Picture Justice  
Grip Training Institute  
Initiate Justice  
Initiate Justice Action  
LA Defensa  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Legal Services for Prisoner with Children  
Nextgen California

*Santa Cruz Barrios Unidos  
Sister Warriors Freedom Coalition  
Smart Justice California, a Project of Tides Advocacy  
The Transformative In-prison Workgroup  
Uncommon Law  
University of San Francisco School of Law, Racial Justice Clinic  
Young Women's Freedom Center*

**OPPOSITION**

*California District Attorneys Association*



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<b>Date Submitted</b>	April 19, 2024
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<b>SLC Meeting Presenter</b>	Victoria Westbrook/Alek Hartwick
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

## SB 1005

### Senator Angelique Ashby, Senate District #8, D-Sacramento, Youth Courts.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

#### Summary

SB 1005 gives statutory authority for minors, with referral from a probation officer and consent of the minor's parent, to waive traditional juvenile court system hearing and sentencing procedures and experience a court of fellow minors.

#### Background/Analysis

Youth courts are a type of diversion program where a minor accused of committing a certain offense can opt-into an alternative court-like setting where youth volunteers play a variety of roles in the judicial process – such as district attorney, public defender, bailiff, or juror. Generally, juveniles charged with minor violations such as shoplifting, vandalism, truancy, or disorderly conduct are eligible for youth courts.

Many youth court programs already exist throughout the state and range in structure, with the earliest programs in California dating back to the mid-1980s. All programs are under the supervision of a judge.

These programs keep low-level youth offenders out of the formal juvenile justice system, allowing more resources directed toward youth with serious offenses. Individual research conducted on youth court programs across the nation found outcomes at least as positive as other diversionary alternatives, and some that were superior to other alternatives.

Recent studies show that youth court participation produces the following benefits for all involved: accountability, timeliness, cost savings, civic engagement, youth influence youth, and prevention.

Youth courts provide young people with avenues for positive development and personal success, and youth volunteers learn from each other while also gaining a deeper understanding of the legal system.

#### Challenge

Existing law provides probation departments with broad authority and options for alternative types of supervision for minors. However, there is currently no specific statutory authority for youth courts.

Without such statutory authority, jurisdictions hesitate to develop or promote youth courts, which are important components of a restorative justice system. This lack of clear statutory guidance may cause confusion for the courts, and keep jurisdictions from utilizing cost saving measures, as many youth court programs are primarily funded through non-public resources and community-based organizations.

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**Solution/Recommended Proposal**

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SB 1005 grants probation departments the statutory authority to maintain and operate youth courts, or contract with community-based organizations or private or public agencies, to implement youth courts. The most serious crimes are excluded from eligibility for these programs. SB 1005 does not change the probation department's discretion with case referral, may potentially reduce costs to the state, and has been a successfully implemented restorative justice program in a few courts across California.

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**Departments Impacted & Why**

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Superior Court, Juvenile Probation, Public Defender's Office, District Attorney's Office

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**Fiscal Impact**

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Unknown at this time.

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**Support / Opposition**

---

**SUPPORT**

California Judges Association

**OPPOSITION**

California District Attorneys Association



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Date Submitted	May 10, 2024
Submitting Department	SFMTA/SF Fire Department/SFO
Contact Name	Katie Angotti
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SLC Meeting Presenter	Katie Angotti
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

## AB 1777

### Assemblymember Phil Ting, Assembly District #19, D-San Francisco Autonomous vehicles.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE    X OTHER & Describe:  
Support and Seek Amendments

#### Summary

*This bill would make a number of changes to the California Vehicle Code to require autonomous vehicle (AV) manufacturers to comply with a number of new requirements aimed at improving interactions and communication with emergency responders. It also would require new data reporting from AV companies with testing or deployment permits. Finally, it would ensure that AVs can be cited for moving traffic violations, and clarifies that the Department of Motor Vehicles (DMV) may impose incremental enforcement actions against AV manufacturers who do not comply with the provisions of the bill.*

#### Background/Analysis

*Existing State Law authorizes the DMV to issue permits for testing and deployment of autonomous vehicles (AVs) on public roads to AV manufacturers meeting certain requirements. AVs have been operating without a driver behind the wheel on San Francisco streets since December 2020, and the number of AVs and miles driven in the city have increased significantly since then. As AV operations expanded in San Francisco, so did reported incidents of AVs driving unpredictably, stopping unexpectedly in traffic and interfering with San Francisco Fire and Police Department operations.*

#### Challenge

*The bill seeks to address the following challenges, organized by topic:*

##### First Responder Interactions

*The top concern San Francisco first responders have raised regarding AVs is difficulty communicating with AVs and understanding how an AV in an emergency scene is going to behave. Many AV companies post phone numbers to be called in an emergency, but San Francisco firefighters do not, as a matter of practice, carry cell phones when responding to*

scenes. First responders have also reported AVs acting erratically around active emergency scenes, causing them to divert attention and effort away from the emergency and to ensuring the AV does not intrude into the scene.

#### Moving Violations

Current law contemplates that a ticket for a moving violation of the traffic code be issued to a human driver of a vehicle. This means that a driverless AV cannot be issued a ticket if it commits a traffic violation.

#### Data Reporting

Current law requires AV companies to submit crash, disengagement and mileage reports to the DMV only when operating under a testing permit. Once an AV company obtains a deployment permit, they are no longer required to report any data to the DMV. But neither the DMV nor the CPUC have explicit minimum performance standards that must be fulfilled before a manufacturer can obtain a deployment permit, and AV technology remains in a developmental stage. When Cruise and Waymo started paid passenger service in driverless AV with deployment permits from the DMV, incidents reported to the City and in the media persisted and increased, suggesting the need to continue requiring crash and disengagement reporting during the deployment stage.

Data that is currently reported to the DMV for AV companies operating under deployment permits is redacted in key places. The requirements also do not include key data necessary to evaluate the scale and performance of AV deployment in the places where they have been granted permits to operate.

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### **Solution/Recommended Proposal**

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The bill proposes the following solutions, organized by topic:

#### First Responder Interactions

- Require manufacturers of autonomous vehicles (AVs) to comply with several new requirements aimed at improving interactions and communication with emergency responders by July 1, 2026:
  1. Maintain a dedicated emergency response telephone line that is available for emergency response officials, as defined
  2. Install a 2-way voice communication device that enables emergency response officials that are near the vehicle to communicate effectively with a remote human operator and set performance standards for speed and effectiveness of communication
- Authorize an emergency response official to issue a geofencing message to a manufacturer and would require a manufacturer to direct an AV in the affected area to leave or avoid the area within 2 minutes of receipt
- Direct the DMV to assign an entity to conduct a check of an AV model that is proposed for testing and ensure it responds appropriately to audio and visual cues, including emergency lights and sirens
- Direct the DMV to not renew, reinstate or expand the service area of a permit unless the AV manufacturer certifies that its vehicles meet all of the above requirements

#### Moving Violations

- Define how an AV which commits a violation of the Vehicle Code can be cited:



- For AVs in autonomous mode at the time of the violation (whether a driver is present or not), the AV manufacturer would be cited
- For AVs not in autonomous mode at the time of the violation, the driver would be cited
- If an AV is found to have committed a traffic violation while operating without a driver or while the autonomous technology is engaged, require the manufacture to remedy the error with 60 days of the conviction or judgement

### Data and Transparency

- Require AV manufacturers with testing and deployment permits to report the following:
  - a. Collision reports – within 5 days of the collision and including the following:
    - i. Whether the autonomous technology was engaged within 30 seconds of the collision
    - ii. Whether a safety driver was present during the collision
    - iii. The latitude and longitude coordinates of the collision within 30 seconds of the collision
  - b. Quarterly reports containing the following:
    - i. Vehicle miles traveled by AVs
    - ii. The number of times an AV automatically stops on a public right-of-way when it detects that its ability to drive autonomously is impaired, or an operator fails to respond appropriately to a request to take over the dynamic driving task
    - iii. The Vehicle Identification Number (VIN) of all AVs
- Require the DMV to provide a copy of collision and quarterly reports to public agencies that request them.

**SFMTA’s recommended amendments:** We propose supporting this bill and seeking the following amendments, organized by topic.

### First Responder Interactions

- Minor changes to the definition of geofencing
- Proposed definition for the term “remote operator”
- Effective dates for equipment requirements, including limitation of these requirements to vehicles placed in driverless operation
- Language calling for vehicles in driverless operations to communicate status information for a distance of at least 100 feet in front or behind a vehicle

### Moving Violations

- Affirm that mailed notice of violation is sufficient where there is no human driver. Data and Transparency
- Number of changes

### DMV

- Clarification of language that prohibits issuance of new permits for vehicles that do not meet the equipment requirements
- Addition of fleet size as a way DMV can condition permit
- Ensure permits are issued for a term rather than indefinitely

### Retention of Data in a Collision

- *Require AVs to capture and retain sensor and video data at least 30 seconds before a collision and until law enforcement arrives or all parties involved in the collision leave or are removed from the scene*

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**Departments Impacted & Why**

*This would impact the SFMTA, San Francisco Fire and San Francisco Police Departments. These departments have been consulted.*

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**Fiscal Impact**

*None anticipated to San Francisco City Departments.*

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**Support / Opposition**

**Support:**

Mission Street Neighbors

San Francisco County Transportation Authority

San Francisco Taxi Workers Alliance

Four Individuals

**Opposition:**

None on file



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SLC Meeting Presenter	Huy Le
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 checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

## SB 1143

### Senator Ben Allen, Senate District #24, D-Santa Monica Household hazardous waste producer responsibility.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

#### Summary

SB 1143 will require producers of household hazardous consumer products to fund and ensure convenient access to a system for the safe collection, transportation, and disposal of household hazardous waste (HHW), shifting the cost burden of managing HHW disposal from local jurisdictions and ratepayers to the producers.

#### Background/Analysis

Common everyday household hazardous products are classified as HHW since they pose threats to the environment and public health if improperly managed at the end of life (EOL). Disposal of HHW is regulated by the Department of Toxic Substance Control (DTSC) through a requirement on municipal solid waste entities to provide for safe collection, along with a prohibition on these products being sent to landfills. Yet, consumers must navigate an inadequate patchwork of local programs using different collection methods. These local programs rely on various types of facilities including permanent, temporary, recycle-only, curbside, door-to-door, and mobile HHW collection facilities – each authorized to process certain materials.

What a local jurisdiction can collect and manage safely is usually a function of what that jurisdiction can afford. As collection and disposal costs increase, there is a reduction in consumer access and convenience, leading to improper disposal. The state has offered limited grants, but funding has fallen far short of what is needed to keep pace. For example, while CalRecycle's HHW grant program to local governments has a cap of \$5 million a year, the expected construction cost of a new facility far exceeds that. For example, in Sonoma County a new facility is estimated to cost between \$13-16 million.

The current system leads to improper disposal and puts California residents and the environment at risk of contamination. Extended Producer Responsibility (EPR) is a solution to this problem and has proven to be an effective strategy for many types of products. EPR programs have shifted the onus off the consumers and municipalities and onto the producers responsible for the material while allowing the relevant state agency to provide oversight and enforcement.

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## Challenge

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San Francisco manages several collection programs for residents to properly dispose of their HHW. These programs cost millions to operate and are paid for by residents through their refuse rates. Managing these programs are costly and constantly evolving. Even with one of the most robust collection programs in the United States, the City's collection numbers have been slowly declining. Continuing municipal support for the diversity of HHW programs required also takes local funds away from other programs such as composting and recycling. Municipalities continue HHW programs in part to protect San Franciscans and the environment but have limited resources.

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## Solution/Recommended Proposal

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SB 1143 replaces California's current patchwork system of managing HHW with an EPR program, paid for by the producers, required to enhance consumer convenience and improve the collection and management of the most toxic household products. Producers of covered products must join a Producer Responsibility Organization and develop a producer responsibility plan detailing how the industry will meet this standard. The plan's costs will be proportionally distributed to member producers based on sales volume and relative disposal costs, encouraging fewer toxic alternatives and ensuring producers pay their fair share.

In the past 10 years, San Francisco's HHW program have seen a steady decline in collection. This could be due in part by a lack of public awareness of the program or a lack of convenient disposal options. If passed, the bill would provide secure and consistent funding towards outreach efforts to inform residents about the program. It would also expand existing collection opportunities to create convenient options for the public.

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## Departments Impacted & Why

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The bill would likely impact Departments that directly or indirectly handle HHW that have been abandoned or improperly disposed of. These departments include San Francisco's Department of Public Health, Public Works, and Recreation and Parks Department.

The Department of Public Health (DPH) is likely to be impacted because DPH staff are the first responders to hazardous materials/waste related issues. They also respond to special situations when Recology's Door-to-door drivers are not able to pick up certain HHW from residents.

Public Works (DPW) routinely cleans up San Francisco's streets, sidewalks, and other public areas. HHW are common items found when removing debris and abandoned waste, so we expect there will be less of this waste for DPW to clean up should the EPR program come to fruition.

The Recreation and Parks Department and the Port of San Francisco regularly maintain marinas where HHW generated from boaters are found on their property so, again, we expect they would have less of this HHW to clean up should this bill pass.

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## Fiscal Impact

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If passed, San Francisco residents and businesses would see the biggest fiscal impact as they fund the HHW program via their refuse bill. It will no longer be directed towards HHW programs.

San Francisco's departments impacted by the bill would see a reduction in program costs as responses to HHW removal would be less frequent.

There is a potential for refuse rates to come down, given that waste haulers would no longer be responsible for HHW collection programs.

## Support / Opposition

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### SUPPORT:

National Stewardship Action Council (Sponsor), Ban SUP (Single Use Plastics), California Association of Environmental Health Administrator, California Environmental Voters, California Teamsters Public Affairs Council, Californians Against Waste, Californians for Pesticide Reform, Center for Biological Diversity Center for Farmworker Families, Center on Race, Poverty & the Environment, Central California Environmental Justice Network, City of Santa Barbara, Clean Water Action, CleanEarth4Kids.org, Climate Reality Project, Friends of the Earth Green Waste Recovery, Heal the Bay, Los Angeles County, Marin Sanitary Services, Napa Recycling and Waste Services, Pesticide Action Network, Physicians for Social Responsibility – Los Angeles, Product Stewardship Institute, Republic Services – Western Region, Resources Recovery Coalition of California, Rethink Waste, Rural County Representatives of California, San Benito County Integrated Waste Management, Sierra Club California, The Story of Stuff Project, Truckee; Town of, Universal Service Recycling, Western Placer Waste Management Authority, Worthington Industries, Zero Waste Marin Joint Powers Authority, and Zero Waste Sonoma.

### OPPOSITION:

American Chemistry Council, American Cleaning Institute, California Chamber of Commerce, California Manufacturers & Technology Association, Household & Commercial Products Association, Industrial Environmental Association, Responsible Industry for a Sound Environment (RISE), and Western Plant Health Association.



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SLC Meeting Presenter	Max Gara
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO      X N/A

## AB 2075

### Assemblymember David Alvarez, Assembly District #80, D-San Diego Resident Access Protection Act.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended  
 OPPOSE     **OTHER & Describe: Oppose unless amended.**

#### Summary

AB 2075 would enact the Resident Access Protection Act which grants a resident of a long-term care (LTC) facility the right to in-person, onsite access to a visitor and health care and social services providers during any public health emergency (PHE) in which visitation rights of residents are curtailed by a state or local order. This bill would set a concerning precedent of limiting the authority of public health officers and their ability to protect public health in a declared emergency.

#### Background/Analysis

San Francisco was a national and global model in its response to the coronavirus pandemic (COVID-19). The City's response followed the science, data, and facts every step of the way. An important element of the response involved SFDPH working closely with long term care facilities throughout the city to slow the spread of COVID-19 and limit the impact of outbreaks within facilities. The health orders limiting visitors were a powerful tool to protect the health of all

residents and staff in LTC facilities, especially pre-vaccine. While these restrictions protected residents' physical health, they had negative impacts on their mental health. Restrictions on visitation resulted in increased loneliness, anxiety, and depression among residents of LTC facilities, as well as distress among families of residents. In 2022 the CA legislature formed a workgroup to investigate best practices and policies for LTC facilities during public health emergencies. AB 2075 includes many of the recommendations of the workgroup.

#### Challenge

The COVID-19 pandemic was unprecedented and public health officials worked tirelessly to protect communities from the spread of disease. Supplies were limited, health care resources were strained, and the number of cases and deaths were increasing at rapid rates. Spread of COVID-19 was particularly difficult to control in congregate settings such as LTC facilities. One the most important tools to slow the spread of virulent infections has historically been isolation and quarantine. The ability to require facilities with residents who have significant health vulnerabilities to limit visitation or movement in a facility during a large outbreak of a rapidly spreading virus such as COVID-19, Avian flu, or Ebola is

essential. While these restrictions prevent infectious disease spread, isolation incurred by residents of LTC facilities during the early parts of the COVID-19 pandemic had a negative effect on their mental health. Social connections are vital, and public health officers strongly support visitation at LTCs unless it poses a risk to health and safety. For these reasons, long-term restrictions on visitation did not occur prior to the pandemic and are likely to remain rare.

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#### **Solution/Recommended Proposal**

AB 2075 would grant LTC facility residents unrestricted access to their friends and family members for visitation inside and outside the facility during a public health emergency. The bill also restricts state and local health officer orders during declared emergencies, potentially leading to unintended consequences that could jeopardize the health and safety of all San Franciscans.

The unpredictable nature of emergencies requires flexibility in response strategies. As currently drafted, AB 2075 supersedes a state or local government order during a declared state of emergency, local emergency, health emergency, or local health emergency to limit the number of visitors or health care and social services providers who may simultaneously visit a resident. The current provisions of AB 2075 are rigid and could hinder San Francisco health officials' ability to respond to future health emergencies effectively. For example, if an Ebola-like virus were to become more contagious, isolation and quarantine would be important tools for public protection, and a nimble response from health officials would be necessary. For these reasons, the **Department of Public Health is opposed to this bill unless amended** to remove the declarative language, the section prohibiting quarantine, and language limiting health officer authority to protect Californians in times of serious threat. We would also request the bill be amended to ensure onsite access to a visitor is done in a manner

consistent with state and local public health guidance.

Health officers strive to balance the restrictiveness of measures with the magnitude and nature of threats during emergencies. This bill would set a concerning precedent of limiting the authority of public health officers and their ability to protect public health in a declared emergency.

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#### **Departments Impacted & Why**

No other department would be impacted by the bill.

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#### **Fiscal Impact**

None noted in bill analysis.

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#### **Support / Opposition**

**Support:** AARP; Alzheimer's Association State Policy Office; Association of Regional Center Agencies; CA Virtual Resident Council; California Advocates for Nursing Home Reform; California Assisted Living Association; California Association of Long Term Care Medicine; California Coalition on Family Caregiving; California Continuing Care Residents Association (CALCRA); California Long Term Care Ombudsman Association (CLTCOA); California Office of The State Long-Term Care Ombudsman California Retired Teachers Association

**Oppose unless amended:** Health Officers Association of California (HOAC), and County Health Executives Association of California (CHEAC).



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SLC Meeting Presenter	Max Gara
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO      X N/A

## AB 2132

### Assemblymember Evan Low, Assembly District #26, D-Silicon Valley Health care services.

#### Recommended Position

SPONSOR     **SUPPORT**     SUPPORT if  
amended     OPPOSE     OTHER &  
Describe

#### Summary

[AB 2132](#) would mandate testing and preventive treatment for tuberculosis (TB) in primary care settings by requiring providers to conduct TB risk assessments and provide or refer for follow-up care as recommended by the US Preventive Task Force (USPTF).

#### Background/Analysis

TB is a deadly but preventable disease. Of people with active TB disease, half are hospitalized, and one in six dies within five years of diagnosis. Those who survive can suffer from lifelong disability. Over 86% of all TB cases in California were attributed to the progression of latent TB infection (LTBI), a form of TB that is not contagious and is curable with antibiotics if detected and treated. Failure to provide preventive treatment is the main reason California continues to see the highest number of TB disease incidence in the country. In 2023, California had 2,113 active TB cases. Immigrant communities bear the brunt of this impact. TB rates among non-US-born Asian Pacific Island (API), Black, and

Hispanic residents were 43, 28, and 21 times higher than White people born in the U.S. in 2023, respectively. Nearly half (47%) of California's TB disease incidence occurred in Asian persons and 40% of disease incidents occurred in Latinx/ Hispanic persons. Local data shows similar trends in disparities. San Francisco's Chinatown neighborhood has the highest incidence rate (30 per100,000) in the city.

Death and disability from TB is preventable if diagnosed in the latent stage. Locally, 85% of TB infection is the result of progression from LTBI. Diagnosing and treating LTBI is the best way to prevent TB in our population. USPTF and the [American Academy of Pediatrics](#) recommend testing for and treating LTBI in adults and children who are at risk of developing active TB disease. [Risk assessment tools](#) are available for use by medical providers in California to identify persons at risk for LTBI, along with [CDC/NICA](#) and [CDPH/CTCA](#) guidelines for treatment supporting the use of newer short-course treatment regimens.

#### Challenge

Unfortunately, most people with LTBI are unaware of their infection and have never been offered treatment. Of the over 2 million Californians who have LTBI, only 23%



are aware of their diagnosis and only 13% have been treated. Patients receiving primary care services in many clinics do not routinely undergo TB risk assessments or TB screening tests. Prompt LTBI diagnosis and treatment could have prevented over 750 cases of TB in the last 10 years in San Francisco.

### **Solution/Recommended Proposal**

AB 2132 aims to reduce TB cases and associated health impacts by mandating testing and preventive treatment for tuberculosis in primary care settings by requiring providers to offer TB risk assessments and provide or refer for follow-up care as recommended by the US Preventive Task Force (USPTF).

SFDPH is a member of the California TB Elimination Action Committee, which has a goal of TB Elimination by 2050. TB elimination, defined as <1 case per million, translates to roughly 40 cases/year statewide and < 1 per year in San Francisco. This bill would serve to elevate the focus on TB prevention among primary care providers who serve Californians at risk for TB by mandating that health centers and health systems identify and engage persons and populations at high risk for TB, including immigrants and those with immune suppression or a history of homelessness or incarceration, to increase LTBI testing and treatment in primary care settings.

This bill also supports DPH's Population Health Division's (PHD's) True North strategic goal of preventing infection and preserving health in an equitable way by focusing TB testing and LTBI treatment resources on the populations that most need this care.

### **Departments Impacted & Why**

DPH would primarily be impacted by the bill:

- San Francisco Health Network's Ambulatory Care clinics would be required to implement this assessment and associated testing, which would likely result in more TB tests performed as well as follow-up X-rays and prescribed treatments. The bill's proposed workflow is consistent with how clinics implement

health care management reminders/alerts, and therefore the current EHR system could be configured to implement the new workflow.

- The Tuberculosis prevention and control section in PHD would potentially see a reduced workload of TB cases and contacts to TB cases to test and treat.
- ZSFGH would potentially have fewer cases of TB admitted as inpatients to care for.

### **Fiscal Impact**

State GF Impact: California Department of Public Health (CDPH) anticipates annual, ongoing costs of \$67,000 to expand surveyor duties to verify facility compliance with the TB risk assessment required by the bill. There are expected cost pressures of an unknown amount to the Department of Health Care Services (DHCS) to pay for an increase in TB testing and treatment of Medi-Cal beneficiaries. These costs would potentially offset by reduced treatment costs due to prevented TB transmission in future years.

According to CDPH, the medical and societal costs of TB reached \$265 million in California in 2023. The cost of preventing TB for one person is \$857, whereas the cost for diagnosing and treating one person with active TB is \$43,900. The costs averted by scaling up prevention and reaching elimination targets are an estimated one billion dollars in medical costs and one billion dollars in societal costs. Specifically applied to San Francisco, preventing the 85% of cases caused by reactivation of LTBI would result in potential savings of \$32 million over 10 years.

### **Support / Opposition**

**Support:** The Coalition for a TB-Free California (cosponsor); North East Medical Services (cosponsor); SF Hep B Free – Bay Area (cosponsor); Contra Costa County BOS; Santa Clara County BOS; API Health Parity Coalition of San Francisco; Asian and Pacific Islander Council of San Francisco (API Council); Association of Asian Pacific Community Health Organizations (AAPCHO), Golden Gate and Central Coast; California Consortium for Urban

Indian Health; California Pan - Ethnic Health  
Network

**Opposition:** None on file



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SLC Meeting Presenter	Max Gara
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 2871

### Assemblymember Brian Maienschein, Assembly District #76, Democrat Overdose fatality review teams.

#### Recommended Position

- SPONSOR     SUPPORT     SUPPORT if amended  
 OPPOSE     **SUPPORT & AMEND**

#### Summary

To improve local coordination in the response to the ongoing overdose crisis, AB 2871 would authorize a county to establish an interagency overdose fatality review (OFR) team. The team would be able to assist with identifying and reviewing overdose fatalities, facilitate communication among the various entities involved with responding to overdoses, and integrate local overdose prevention efforts through strategic planning, data dissemination, and community collaboration.

#### Background/Analysis

The overdose crisis is one of the most significant public health issues facing San Francisco. Based on preliminary data from the Office of the Chief Medical Examiner, 811 people died from drug overdose in the City in 2023.<sup>1</sup> Significant inequities exist – Black/African Americans in San Francisco are disproportionately affected, with an overdose death rate that is five times higher than the citywide rate.

One strategy states and localities have implemented to address the impacts of the opioid crisis has been the establishment of overdose fatality review (OFR) teams. OFR teams are designed to increase cross-system collaboration among various public safety, public health, and social service agencies; identify missed opportunities and system gaps; and develop recommendations for intervention efforts in hopes of preventing future overdose deaths.

San Francisco is working to establish a pilot project to better understand a decedent’s trajectory prior to their passing, and the opportunities to have intervened. Through the project, an epidemiologist will identify cases and review their touch points with DPH systems (including physical and behavioral health, jail). This review will omit important touch points with non-DPH services, such as EMS (for non-fatal overdoses preceding death), supportive housing, and receipt of community services that would ideally be included in an OFR.

#### Challenge

While local jurisdictions can currently establish OFR teams, statewide legislation

<sup>1</sup> Preliminary Accidental Drug Overdose Data Report for January 2023 through December 2023, SF OCME

would improve the effectiveness and reach of these teams for several reasons:

- directly authorize OFR teams' access to certain types of confidential information via statutory language. Without legislation, the OFR team representatives are bound to their own interpretations of the confidentiality provisions of federal (e.g., HIPAA), and state or local confidentiality laws. This may result in an unwillingness to provide the requested information due to unduly restrictive interpretations and/or confusion caused by varying conclusions among jurisdictions.
- helps to enhance the legitimacy of OFR teams, especially in areas where some community members may be reluctant to establish a team on their own.
- promotes uniformity and consistency among the local teams within the state.

#### Solution/Recommended Proposal

AB 2871 will allow counties to establish an interagency OFR team to assist with identifying and reviewing overdose fatalities, facilitates communication among the various entities involved in overdose fatalities, and integrate local overdose prevention efforts through strategic planning, data dissemination, and community collaboration. Specifically, the bill would allow OFR teams to:

- Be comprised of various local agency representatives, ranging from behavioral health departments to medical examiner offices to law enforcement;
- Develop standardized protocols for examining deaths involving an overdose;
- Exchange confidential information among the team representatives;
- Gather information and make recommendations that must be used by the county to develop education, prevention, and intervention strategies to prevent future overdose deaths.

The OFR teams in other jurisdictions have proven to be a valuable tool for sharing data, strategic planning, promoting health equity, and aligning prevention efforts

among stakeholders through improved coordination and collaboration.

DPH is strongly supportive of the legislation for the reasons outlined above. To improve the bill's impact, the legislation should specify that representatives from **fire departments and non-county health systems** can participate in the county OFR team. Both of these entities play key roles in local overdose response efforts and should be specified in the bill so they are afforded the same protections that other participants are provided.

#### Departments Impacted & Why

The bill does not mandate county departments participation in an OFR, but rather provides them protections and guidance if they do join.

San Francisco Fire Department (SFFD) currently collaborates with SFDPH on overdose-related initiatives, the matching of non-fatal overdose data to DPH services (e.g. the post-overdose team) and collaborating in a citywide workgroup on overdose. Participating in an OFR would allow both SFDPH and SFFD to better understand the trajectory of people who receive EMS services following a non-fatal overdose and potentially improve the treatment provided at that time (e.g. field buprenorphine). This is critical as people who have a non-fatal overdose are at extremely high risk for a fatal overdose.

#### Fiscal Impact

No direct fiscal impacts to data or local agencies.

#### Support / Opposition

None on file.



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SLC Meeting Presenter	Max Gara
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 1251

### Senator Henry Stern, Senate District #27, D-Calabasas Mosquito abatement inspections.

#### Recommended Position

SPONSOR     **SUPPORT**     SUPPORT if amended  
 OPPOSE     OTHER & Describe

proper drainage of all standing water, or to treat standing water with chemical or biological products that kill the mosquito larvae or prevent their development into adults.

#### Summary

SB 1251 would require investor-owned utilities to enter into an agreement with a mosquito abatement or vector control district, or city or county health department within 180 days of a request to allow the district to inspect the utility vaults.

#### Challenge

The San Francisco Department of Public Health (DPH) Environmental Health Branch (EHB) Healthy Housing & Vector Control Program has identified certain neighborhoods within San Francisco that have long been major sources of mosquitoes. These neighborhoods often contain utility vaults. EHB vector control specialists have tested and measured significant mosquito activity in and around these vaults when following up on numerous resident complaints. However, effective abatement actions have been difficult to complete due to lack of access to the areas of the vaults with standing water. These abatement efforts have been further impeded by the lack of an effective action plan with the utility company. Like most vector abatement districts in CA, SFDPH is not able to access the electrical utility vaults to conduct mosquito abatement work such as the removal or treatment of standing water. On at least one occasion in 2023, after a time-consuming investigation and over 20 citizen complaints, the utility company was taken to a DPH Director's hearing to enforce the request to remove

#### Background/Analysis

Mosquitos pose a significant health risk in California, as they can transmit over a dozen serious diseases. Invasive mosquito species have recently been discovered in the state that can transmit arboviruses such as dengue fever and Zika in California. The most prevalent mosquitos in San Francisco are the house mosquito (*Culex pipiens*) and the cold weather mosquito (*Culiseta incidens*). The house mosquito is a known transmitter of West Nile virus and other encephalitic diseases. The house mosquito and cold weather mosquito prefer breeding in shaded underground water sources. Such environments are found throughout San Francisco, including in underground utility vaults. Currently, there are an unknown number of underground utility vaults in San Francisco. Two of the most effective mosquito abatement methods are to ensure

and treat the standing water in five utility vaults.

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**Solution/Recommended Proposal**

SB 1251 would address access issues associated with utility vaults by requiring investor-owned utilities to enter into an agreement with a mosquito abatement or vector control district, or city or county health department within 180 days of a request to allow the district to inspect the utility vaults. These agreements would last no more than three years at the outset and include provisions such as utilities providing the location of its utility vaults within the jurisdiction and access to vector control staff within a reasonable time to its electrical vaults for surveillance, treatment, and post-treatment inspections.

The Department of Public Health's ability to respond to ongoing issues of mosquito abatement in San Francisco will be greatly improved by this bill. SB 1251 would allow SFDPH to implement abatement plans more effectively in cooperation with the utility company when dealing with underground utility vaults that collect standing water. There may be a short-term increase in work as vaults are accessed and treated appropriately, but the long term effect will

be improved vector control and reductions in responses to complaints.

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**Departments Impacted & Why**

No other department would be impacted. Note that SFPUC is not an investor owned utility and would not be impacted by the bill.

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**Fiscal Impact**

There may be a slight fiscal impact on EHB for providing the inspection and treatment of previously unassessed utility vaults. However, this may be offset by having longer term abatement impacts reducing vector control services.

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**Support / Opposition**

**Support:** Mosquito and Vector Control Association of California (Sponsor); County Health Executives Association of California (CHEAC); Alameda County Mosquito Abatement District; Butte County Mosquito and Vector Control District; Coachella Valley Mosquito and Vector Control District; Colusa Mosquito Abatement District; Consolidated Mosquito Abatement District; Contra Costa Mosquito and Vector Control District; other vector control districts.

**Opposition:** No opposition has been submitted.



# State Legislation Committee Proposal Form

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Date Submitted	5/10/24
Submitting Department	Department of Public Health
Contact Name	Max Gara; 415-554-2621
Contact Email and Phone Number	Maxwell.gara@sfdph.org Sneha Patil; 415-554-2795 <a href="mailto:Sneha.patil@sfdph.org">Sneha.patil@sfdph.org</a>
SLC Meeting Presenter	Max Gara
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 1333

Senator Susan Talamantes Eggman, Senate District #5, D-Stockton;

Senator Richard Roth, Senate District #31, D-Riverside

Communicable diseases: HIV reporting.

### Recommended Position

SPONSOR     **SUPPORT**     SUPPORT if amended  
 OPPOSE     OTHER & Describe

### Summary

SB 1333 allows the California Department of Public Health (CDPH) and local health departments (LHDs) to disclose personally identifying information in public health records of persons with HIV or AIDS for the coordination of, linkage to, or reengagement in care.

### Background/Analysis

San Francisco has long-been internationally recognized as a leader in the treatment and care of patients with HIV/AIDS. The City and the Department of Public Health (SFDPH) have for many years worked to reduce the incidence and transmission of HIV in the City, and have also made great strides in supporting the needs of individuals living with HIV. The City's Getting to Zero initiative, of which SFDPH is a member, has a goal of zero new HIV infections, zero HIV deaths, and zero HIV stigma. SFDPH programs also

provide a wide array of health prevention, promotion, navigation and treatment services.

Despite continued downward trends in prevalence, HIV prevention and treatment continue to be major priorities of the City. A recent report showed 157 new HIV diagnoses in 2022, representing a slight decrease from 166 in 2021, and an overall 12% decrease since 2019. However, the reduction in new diagnoses is not as rapid as the 56% decrease seen 2013-2019. Further, significant racial disparities persist, with substantially higher new infection rates among Latino and Black men than White or Asian/Pacific Islander men. People experiencing homelessness (PEH) accounted for nearly 1 in 5 new HIV diagnoses, and only around half (52%) of PEH were virally suppressed in 2022.<sup>1</sup> People who inject drugs (PWID) of all genders had the lowest viral suppression rates.

### Challenge

Current California law only allows state and local public health personnel to

<sup>1</sup> 2022 San Francisco Public Health HIV Epidemiology Annual Report

communicate with each other or with health care providers about a person's HIV status to facilitate medical care and treatment if the person has HIV alone or has HIV coinfection with specific diseases (tuberculosis, hepatitis B, hepatitis C, meningococcal infection, chlamydia, gonorrhea, syphilis, or meningococcal infection). Sharing of information for other reportable communicable diseases, such as hepatitis A, mpox, or Shigella, is not allowed because it is not specified in law.

This shortcoming in the law was highlighted with the mpox outbreak in 2022-23. During the outbreak, CDPH could not disclose a patient's HIV status to an LHD or health care provider even when responding to an urgent request for clinical consultation on a complex mpox case, potentially resulting in more fragmented patient care and delaying appropriate treatment risking more severe infections. Not being able to record an mpox case's HIV status in the secure and confidential data systems for mpox investigations meant that LHDs were also unable to determine whether people diagnosed with mpox needed linkages to HIV care or prevention services, resulting in missed opportunities to prevent HIV transmission.

### **Solution/Recommended Proposal**

This bill aims to address current shortcomings with the law by doing the following:

- (1) authorizes CDPH or an LHD to disclose personally identifying information in HIV/AIDS public health records when necessary for the coordination of, linkage to, or reengagement in care for the person.
- (2) Allow the disclosure of HIV cases between public health staff, the HIV-positive person, and the HIV-positive person's health care provider for purposes of facilitating appropriate care for persons coinfecting with HIV and any other communicable diseases.

- (3) require CDPH and LHD employees to review and sign confidentiality agreements annually, rather than signing just once.

This bill will improve care coordination for people with HIV who are coinfecting with another disease by allowing confidential data sharing between state and local public health officials and health care providers while maintaining patient confidentiality. Strong federal and state privacy laws will remain in place to protect the confidentiality and privacy rights of patients while better addressing the health needs of people with HIV.

For these reasons, San Francisco Department of Public Health supports the bill.

### **Departments Impacted & Why**

No other department would be directly impacted.

### **Fiscal Impact**

- The California Department of Public Health (CDPH) estimates minor and absorbable costs.
- Unknown costs to local health departments to annually obtain signed confidentiality agreements. Cost to counties for administration would be potentially reimbursable by the state.

### **Support / Opposition**

Support: LGBTQ Legislative Caucus; (cosponsor); APLA Health (cosponsor); San Francisco AIDS Foundation (cosponsor); Amador County Arts Council; GLIDE; Los Angeles LGBT Center; others  
Oppose: None on file





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Date Submitted	May 12, 2024
Submitting Department	Mayor's Office of Housing and Community Development
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SLC Meeting Presenter	Kyra Geithman
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 checked="" type="checkbox"/> N/A

## AB 2353

### Assemblymember Christopher M. Ward, Assembly District #78, D-San Diego

#### Property taxation: welfare exemption: delinquent payments: interest and penalties.

#### Recommended Position

SPONSOR     SUPPORT     SUPPORT if amended     OPPOSE     OTHER & Describe

#### Summary

AB 2353 would ensure nonprofit affordable rental housing developers can access the existing welfare property tax exemption without floating unnecessary tax payments while their application is under review, reducing the cost of constructing affordable housing.

Earlier this legislative cycle, Asm. Ward introduced AB 86, which also would have allowed nonprofit developers to access the welfare tax exemption. The State Legislation Committee approved a "Support" position, with the Assessor's Office abstaining. Asm. Ward has been working with the California Assessors' Association to address concerns. Currently, no formal opposition has been submitted by any organizations.

#### Background/Analysis

Pursuant to the State Constitution, affordable rental housing owned by a non-profit entity is considered a "charitable" use and is exempt from basic property taxes. This is known as a "welfare exemption."

An important part of San Francisco's middle-income housing strategy is the acquisition of existing properties vulnerable to market pressures and ultimate conversion to permanent affordable housing with rents at an average of 80% AMI, and available to families earning up to 120% AMI through the Small Sites Program (SSP). Additionally, the City's Preservation and Seismic Safety (PASS) Program provides low-cost and long-term financing for the acquisition, rehabilitation and preservation of affordable housing. To date, these acquisition and preservation programs have deployed over \$217 million in funding to preserve 50 projects with 39 commercial spaces, and 519 residential units for low and moderate-income households.

#### Challenge

The welfare tax exemption is not immediately accessible upon the date the property is restricted for affordable housing. Instead, developers must apply to certify that the property tax savings is necessary to maintain the affordability of the units occupied by lower-income households, and they must pay property taxes during this application period. Most county assessors will not

approve the exemption back to the date the property is purchased, only to the start of the construction or rehabilitation phase, which leads to developers incurring increased costs because they must pay property taxes that they will not be required to pay after their application is approved. These increased costs can result in a potential acquisition exceeding the City's maximum per-unit subsidy amount, and jeopardize the acquisition of the building.

Another obstacle that San Francisco has faced in the construction of affordable housing is the high costs associated with acquiring vacant land or a vacant commercial or retail building to be developed for 100% affordable housing. If and when the City does purchase a vacant site, even though the terms of purchase clearly require the site to be used for 100% affordable housing only, the City must still pay property taxes on the site through the public procurement process to select a developer, and then through the pre-development process as project sponsors work to convert a project to permanent financing.

Furthermore, projects that do not use the federal Low Income Housing Tax Credit (LIHTC) program are not given safe harbor for their welfare tax exemption for any tenant incomes between 80% and 140% Area Median Income (AMI). We support the expansion of the safe harbor provision to other deed-restricted affordable housing outside the LIHTC program, like projects in the City's Small Sites Program. This will allow projects to remain financially sustainable while supporting the economic success of tenants.

This process is unnecessarily duplicative and expensive, as the non-profit organization that would be acquiring and preserving housing must already agree to certain restrictions as a contingency of receiving City funds to do so. These increased costs means these sites and properties remain vulnerable to market pressure resulting in property sales, increased evictions, and rising tenant rents.

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### **Solution/Recommended Proposal**

AB 2353 would reduce the cost of developing affordable housing by allowing non-profit affordable housing developers to withhold relevant tax payments, without penalty, while their welfare exemption applications are under review. To be eligible, a property must be subject to a recorded affordability covenant and the developer must have received a clearance certificate from the BOE, indicating they are eligible for the exemption.

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### **Departments Impacted & Why**

The Mayor's Office of Housing and Community Development (MOHCD) would see the greatest impact. MOHCD oversees the PASS and SSP programs and has provided financing for non-profit affordable rental housing organizations to pay unnecessary taxes while the organizations apply for the tax exemption. This would also reduce the administrative burden on MOHCD and its affordable housing partners by eliminating a tedious and unnecessary application process.

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### **Fiscal Impact**

In FY21-22, MOHCD made loans totaling approximately \$33.8 million to assist a nonprofit acquire and rehabilitate seven properties with four commercial spaces and 56 residential units under its acquisition and preservation programs, including the Small Sites Program and the Preservation and Seismic Safety Program. Through AB 84, costs would be reduced due to the lack of need to pay property taxes during the pre-construction phase; these reduced costs would allow for the City to be more nimble in working with property owners to permanently preserve their properties as affordable housing.

### **Support / Opposition**

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Multiple pro-housing organizations and nonprofits are in support, including the California Community Land Trust Network, California Housing Partnership, Housing California, Nonprofit Housing Association of Northern California, and East Bay Housing Organizations. California State Controller Malia M. Cohen is also in support.

There are no organizations or officials in opposition.