

**SUBJECT: MID-YEAR LEGISLATIVE UPDATE FOR THE 2023-2024
REGULAR SESSION OF THE CALIFORNIA LEGISLATURE AND
FEDERAL ADVOCACY EFFORTS**

PREPARED BY: COMMUNITY SERVICES DEPARTMENT

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STATEMENT ON THE SUBJECT:

The City Council will receive the third legislative update report on the City's lobbying efforts in the California State Legislature during the 2023-2024 regular legislative session, and a brief description of current advocacy efforts at the federal level.

RECOMMENDATION:

Receive and file.

BACKGROUND / ANALYSIS:

This staff report has been prepared in accordance with the Advocacy and Lobbying Plan approved by the City Council in December 2018. The report also highlights the City's advocacy and lobbying activities during the above-mentioned period. This is the third report for the current session and is presented to the City Council and the community as bills introduced in their house of origin faced the May 24, 2024, legislative deadline to get approved and move out of their house of origin. Bills that were not approved and therefore missed the deadline, have died.

Attachment A: *Year 2: Mi-Year Status Report State Legislation*, features a brief description and status of each bill introduced in the State Legislature for which the City has adopted a position since the beginning of the current legislative session.

The City's Community and Legislative Affairs (CLA) division focuses on the issue areas which were identified as priorities by the City Council. The 2018 Council-approved

Advocacy & Lobbying plan prescribes a detailed pathway for CLA to assess the impact of different pieces of legislation on the City. This assessment process includes input from advisory bodies and expert matter City staff. Thus, the list of bills in which the City is currently engaged has been assembled, in part, with recommendations made by advisory boards and input from City staff.

The City's legislative agenda is advanced in the state's Capitol by the Sacramento-based firm of Shaw, Yoder, Antwih, Schmelzer & Lange (SYASL), and in Washington, DC. by Thorn Run Partners (TRP). Both firms were retained in 2022 to serve as the City's lobbyists.

ADVOCACY AND LOBBYING ACTIVITIES

State Advocacy Efforts

Builder's Remedy

On May 20th, the City Council, on a 4-1 vote, directed the City Attorney to work with City staff and the City's Sacramento lobbyist on an advocacy and lobbying strategy to seek a legislative fix to address the City's ongoing issue with development applications that were submitted as "builder's remedy" projects. Builder's Remedy allows developers to submit projects that are inconsistent with both the zoning ordinance and the land use designation for a specific site, when a City does not have a Housing Element in substantial compliance with state law. Consistent with the Council's direction, the City Attorney along with City staff and the City's Sacramento lobbyist have been working to draft amendments to a couple of bills currently being considered by the California Legislature (AB 1886 (Alvarez) Housing Element Law: substantial compliance: Housing Accountability Act and AB 1893 (Wicks) Housing Accountability Act: housing disapprovals: required local findings).

Sponsoring Legislation

In late 2023, once the Legislature had recessed for the winter season, City staff began to its advocacy work to modify a current state statute that was made into law upon the dissolution of redevelopment agencies. The Enhance Infrastructure Financing District (EIFD) allows local governments to create such entities and incur debt. The current maximum "life term" of these EIFDs is 45 years. As City staff continues to work on the

extension of Metro's K line, financial/bond consultants retained by the City have advised as to the need to extend the life of the EIFDs to 75 years to match the federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loans' terms, which allow for a maximum term of 75 years. Through the work of City staff and the City's Sacramento lobbying firm with Assemblymember Laura Friedman, the above-legislative initiative was realized into AB 761. AB 761 (Friedman) Local finance: enhanced infrastructure financing districts. The bill was heard by the Senate Local Government Committee on May 29 and approved 7-0. The bill is now on the Senate Floor for a final vote. If approved by the Senate, the bill will go back to the Assembly for a hearing by the Assembly Local Government Committee. Once the committee hears and approves the bill, AB 761 will be referred to the Assembly Floor for a concurrence vote.

Traffic safety. Speed cameras:

In early 2024, the City Council gave direction to staff and the City's Sacramento lobbyist to advocate for inclusion of West Hollywood in legislation that was approved by the Legislature in 2023, (AB 645, Friedman: Vehicles: speed safety system pilot program, Chapter 808, statutes of 2023), which allowed Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco to establish a Speed Safety System Pilot Program. City staff and the City's lobbyist met with legislators, including Senator Ben Allen, who authored SB 1297 The City of Malibu's speed safety system pilot program. Despite the City's efforts, the Chairs of the Senate and Assembly Transportation committees that dealt with this bill have resisted the incorporation of additional cities beyond Malibu, which is still reeling from the tragedy on the Pacific Coast Highway, where four young Pepperdine University students lost their lives in October 2023. During a meeting with Senator Allen, the Senator invited the City to work with him and reach out to Assemblymember Zbur so that the group can collaborate on a legislative initiative to be introduced in the first year of the upcoming 2025-2026 legislative session.

California Legislative Highlights

Tracking State Legislation

The California State Legislature commenced Year 2 of the 2023-2024 regular session on January 3, 2024. By the time this report was assembled, legislators had introduced some

2,449 bills (1,682 Assembly Bills and 767 Senate Bills), bringing the total bills for the two-year session to 5,479 bills. CLA identified and is currently monitoring close to 300 bills that either propose new laws, amend, or repeal existing laws covering a broad range of issues identified in the City's Legislative Priorities. These subject areas include housing, construction, and land use, as well as health and social services (mental health, substance use, homelessness, reproductive rights), seniors, and LGBTQ+ individuals. As of the production of this report, the City adopted positions on 65 bills. Of those 65 bills, the City supported 61 bills, opposed 2, and adopted an "oppose-unless-amended" on two bills. Of the 61 bills the City supported:

- 21 were signed into law by Governor Newsom and chaptered.
- 7 were vetoed by Governor Newsom.
- 9 died (held in Inactive File or Suspense File).
- 24 are moving through the legislative process.

The City opposed 2 bills. The first bill, AB 1314 (Essayli, R), Gender identity: parental notification has died. The second bill, AB 1637 (Irwin, D), Local Government: internet websites and email addresses was signed into law.

Of the 2 bills for which the City adopted an Oppose-Unless-Amended position, both bills AB 1886, Alvarez, D and AB 1893, Wicks, D are actively moving through the legislative process.

Rent Stabilization & Tenancy-related Legislation.

AB 2216 (Haney) Tenancy: common household pets. AB 2216 would prohibit a landlord, before the landlord has accepted a prospective tenant's application for a dwelling unit, from asking the prospective tenant or otherwise inquiring into whether the prospective tenant plans to own or otherwise maintain a common household pet in the tenant's dwelling unit. The bill would require a prospective tenant, no later than 72 hours before entering into a rental agreement, to inform the landlord if the prospective tenant plans to own or otherwise maintain a common household pet. In addition, the bill would prohibit a landlord from preventing a tenant from owning or otherwise maintaining a common household pet without reasonable justification. The bill would provide that this provision

does not limit or otherwise affect a landlord's ability to impose reasonable conditions on household pets and does not apply to a rental agreement that prohibits the ownership or otherwise maintenance of a common household pet that was entered into before January 1, 2025. The City of West Hollywood's Rent Stabilization Ordinance (RSO) stipulates that a landlord cannot prohibit a tenant who would otherwise benefit from having an animal companion from having one, if a doctor certifies the benefit for the tenant's health and well-being. AB 2216 has been referred to the Senate Committee on the Judiciary and is awaiting to be heard.

The City continued its advocacy efforts to amend and/or repeal the Ellis and Costa Hawkins Acts. In 2023, the City supported **SB 567** (Durazo) Termination of tenancy: no-fault just causes: gross rental rate increases. This bill aims to amend the State's Ellis Act and current codes regulating annual rental increases. SB 567 was approved by the Legislature. Governor Newsom signed the bill into law on September 30, 2023. (Chapter 297, Statutes of 2023).

Justice for Renters Act of 2024 – a ballot initiative

In 2022, the AIDS Healthcare Foundation (AHF) and pro-tenants' rights groups initiated the process of gathering signatures for a proposition to be placed on a future election's ballot that would repeal the Costa-Hawkins Rental Act (Costa Hawkins). This is the third ballot initiative by AHF and allies to repeal Costa Hawkins, and like the last two times, on May 6, 2024, the City Council adopted Resolution No. 24-025 in support of the ballot initiative. If approved, cities and counties would be able to adopt rent control ordinances as they were allowed before Costa Hawkins went into effect on February 1, 1995.

Homelessness: Housing the Unhoused & Behavioral Health

AB 2498 (Zbur) Housing: the California Housing Security Act. AB 2498, upon an appropriation by the Legislature, would establish the California Housing Security Program to provide counties with funding to administer a housing subsidy to eligible persons, as specified, to reduce housing insecurity and help Californians meet their basic housing needs.

Conservatorships/Mental Health

AB 531 (Irwin) The Behavioral Health Infrastructure Bond Act of 2023. Creates the Behavioral Health Infrastructure Bond Act of 2024 (Bond) to, subject to voter approval, authorize \$6.380 billion in general obligation (GO) bonds to finance permanent supportive housing for veterans and others, as well as unlocked and locked behavioral health treatment and residential settings for individuals experiencing homelessness or at risk of homelessness with severe behavioral health challenges. Allows for by right streamlined, ministerial review for capital projects funded by the bond. The bill was signed by the Governor into law. (Chapter 789, Statutes of 2023). This Legislatively Referred Ballot Initiative appeared on the March 5, 2024, primaries of California as Proposition 1 and it was approved by the voters 50.18% yes, 49.82% no.

SB 363 (Eggman) Facilities for inpatient and residential mental health and substance use disorder: database, would require the State Department of Health Care Services (DHCS) to develop a real-time, internet-based database to identify the availability of inpatient beds and vacancies in residential mental health or substance use disorder treatment facilities. If approved, the bill would facilitate the placement of individuals in need of placement in a treatment facility. SB 363 was approved by the Senate and is now in the Assembly where it was held in the Assembly Appropriations Committee.

Health & Human Services

HIV/AIDS – PrEP and PEP

Consistent with the City's core values, adopted policies and ongoing strategic programs, CLA also recommended support for Senator Scott Wiener's, SB 58 and SB 339. The first bill, **SB 58** Controlled substances: decriminalization of certain hallucinogenic substances is a modified version of the previously introduced SB 519 Controlled substances: study of decriminalization of certain hallucinogenic substances by Senator Wiener, (D-San Francisco), which the City supported. SB 58, which was amended on June 29, 2023, seeks to decriminalize several hallucinogenic drugs. SB 58 was approved by the Legislature and vetoed by Governor Newsom on October 7, 2023. Then, in early 2024, Senator Wiener introduced **SB 1012**, The Regulated Psychedelic Facilitators Act and the Regulated Psychedelic-Assisted Therapy Act. The bill, which is a follow up to SB 58 with

changes on how psychedelics can be accessed by introducing the role of “facilitators” and the regulation of the use of psychedelics for therapeutic purposes was approved by the Senate Business, Professions, and Economic Development and then held by the Senate Appropriations Committee. The City supported SB 1012.

SB 339 (Wiener) HIV preexposure prophylaxis and postexposure prophylaxis is another bill the City is supporting, and it aims to ensure that pharmacists get reimbursed for the time they allocate to counsel individuals seeking to access PrEP. SB 339 became a two-year bill after it was amended in the Assembly Appropriations Committee and Senator Scott Wiener, D-San Francisco, who authored the legislation did not agree to amendments. SB 339 was finally approved by the Assembly and the Senate concurred in amendments. Governor Newsom signed the bill into law on February 6, 2024. (Chapter 1, Statutes of 2024).

The issue of access to PrEP is of high importance and relevance to the City’s population and as such, the City Council also approved the production of an informational hearing on the issues surrounding access to PrEP/PEP. On February 23, 2023, the City hosted the approved hearing and received testimony that validated some of the anecdotal information staff had received regarding issues accessing PrEP and PEP.

Women’s Health and Reproductive Rights

CLA staff, with input from the WAB, recommended support of bills impacting women’s reproductive freedom, particularly after the 2022 decision by the Supreme Court of the United States (SCOTUS) on Roe v. Wade, which set the standard for accessing abortion in all 50 states. In light of this decision, California legislators introduced the following bills:

AB 315 (Bauer-Kahan) False advertising: abortion. The bill authorizes agencies that enforce unfair competition laws to file for injunctive relief or seek a civil penalty. In addition, the law would make it a private right of action for individuals who feel they’ve been harmed by misleading information related to abortion. AB 315 is dead.

AB 419 (Bauer-Kahan) Judicial officers: training: sexual abuse and assault. The bill will require, on or before July 1, 2025 the Judicial Council of California to establish a training for judges on best practices related to treatment of sexual abuse and assault victims in

courtroom cases. In addition, the bill would require, starting January 1, 2026, all appointed judges to receive the same training. AB 419 is dead.

AB 576 (Weber) Medi-Cal: reimbursement for abortion. AB 576 would require DHCS to update its Medi-Cal coverage policies for medication abortion as needed to align with evidence-based clinical guidelines, and to update its Medi-Cal coverage policies for medication abortion. AB 576 was approved by the Legislature and vetoed by Governor Newsom on October 7, 2023.

SB 36 (Skinner) Out-of-state criminal charges: prosecution related to abortion, contraception, reproductive care, and gender-affirming care. SB 36 would prohibit a judge from ordering a witness to appear in court if the criminal prosecution is based on the laws of another state that authorizes a criminal penalty to an individual performing an abortion, contraception, reproductive care, or gender-affirming care if the procedure is lawful under the laws of California. SB 36 is dead.

SB 233 (Skinner) Practice of medicine: Arizona physicians: abortions and abortion-related care for Arizona patients. SB 233, through November 30, 2024, would authorize a physician licensed to practice medicine in Arizona who meets certain requirements to practice medicine in California for the purpose of providing abortions and abortion-related care to patients who are Arizona residents traveling from Arizona, upon application for registration with the Medical Board of California or the Osteopathic Medical Board of California. Consistent with the City's pro-choice stance, the City supported SB 233. Governor Newsom signed SB 233 into law on May 23, 2024. (Chapter 11, Statutes of 2024).

LGBTQ+ Community

AB 1314 (Essayli) Gender identity: parental notification. AB 1314 provides that a parent or guardian has the right to be notified in writing within 3 days from the date any teacher, counselor, or employee of the school becomes aware that a pupil is identifying at school as a gender that does not align with the child's sex on their birth certificate. This bill would have obligated school personnel to out the student, even if he/she/they may not have supportive or understanding parents. The City opposed bill. AB 1314 is now dead.

AB 1955 (Ward) Support Academic Futures and Educators for Today's Youth Act would prohibit school districts and related entities from enacting or enforcing any policy, rule, or administrative regulation that requires an employee to disclose any information related to a pupil's sexual orientation, gender identity, or gender expression to any other person without the pupil's consent unless otherwise required by law, as provided. The City supported the bill, which is now in the Assembly, pending a concurrence vote on Senate amendments.

SB 1491 (Eggman and Atkins) Postsecondary education: Equity in Higher Education Act Cannabis would require the Trustees of the California State University and the governing board of each community college district to designate an employee at each campus as a point of contact for the needs of lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex, and two-spirit faculty, staff, and students. The City has supported this bill.

Cannabis

In 2023, the City supported Senator Allen's **SB 285** Cannabis: retail preparation, sale, and consumption of non-cannabis food and beverage products would authorize a local jurisdiction to allow for the sale of prepackaged, noncannabis-infused, nonalcoholic food and beverages by a licensed retailer. SB 285 was gut-and-amended and refocused on criminal justice/sentencing. The City has removed its support position as the bill is not relevant to the City's legislative priorities.

AB 1775 (Haney) Cannabis: retail preparation, sale, and consumption of non-cannabis food and beverage products. Like SB 285 proposed in 2023, AB 1775 would allow cities like West Hollywood to establish its own regulations to allow for the preparation of non-cannabis food and drinks in consumption lounges. Consistent with the City's prior support of SB 285, the City also supported Assemblymember Haney's AB 1775. The bill is currently on the Senate Floor's 3rd reading file. If approved, the bill will be sent to the Governor for his consideration.

Federal Advocacy Efforts

City staff continued to work with the City's federal lobbying firm of Thorn Run Partners

(TRP) to secure funding for other City projects. In 2023, the City got funding from Congress for the refurbishment of the Log Cabin 12 steps recovery center.

In April 2024, City staff submitted a new request for Congressionally Directed Spending (CDS) for American with Disabilities Act (ADA) improvements for Hart Park. The CDS, which is for \$1 million was well received by Senators Alex Padilla and Laphonza Butler, and Congressman Adam Schiff. The three of them included the City's request on their lists of projects that have been submitted to their respective chambers' committees on appropriation. decided to submit a request for \$850,000 to support the City's efforts to rehabilitate the Log Cabin. The funding requests are now pending approval.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD

GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing Strategic Program(s) (OSP) of:

- OSP-12: Actively Participate in Regional Issues.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-1: Ensure that the community is active and engaged in the decision-making process.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

A key component of the CLA team is to keep the City and its residents apprised of public policy discussions that could impact City operations. CLA Division staff has taken steps to make legislation-related information more readily available to the public by posting up-to-date reports on www.weho.org/legisaltive To encourage civic engagement and community education, the Governmental Affairs Liaison provides the City's advisory

boards and commissions with regular legislative updates.

OFFICE OF PRIMARY RESPONSIBILITY:

COMMUNITY SERVICES DEPARTMENT / COMMUNITY & LEGISLATIVE AFFAIRS
DIVISION

FISCAL IMPACT:

None.

ATTACHMENT:

Attachment A: Year 2: Mid-Year Status Report State Legislation.