

RPEA 2023 CHAPTERED & VETOED BILLS 10/13/2023 ON BEHALF OF AARON & PAT - AARON READ AND ASSOCIATES

[AB 309](#) **(Lee D) The Social Housing Act.**

Current Text: Vetoed: 10/7/2023 [html](#) [pdf](#)

Introduced: 1/26/2023

Last Amend: 9/1/2023

Status: 10/7/2023-Vetoed by Governor.

Location: 10/7/2023-A. VETOED

Summary: Would enact the Social Housing Act and would create, in the Department of General Services, the Social Housing Program, the mission of which would be to ensure that qualified social housing developments are produced on leased state property to help address the housing crisis, as specified. The bill would authorize the program to identify and develop up to 3 qualified social housing projects, as specified, with the intent to use the results to inform public policy related to developing an independent public entity to develop statewide qualified social housing. The bill would require the program to solicit bids to develop qualified social housing units, and prioritize bids that demonstrate long-term revenue neutrality or a cost rent model, as those terms are defined. The bill would require the program to employ 2 different leasing models, the rental model and the ownership model, as specified, in creating social housing. The bill would prohibit a city or county from denying a social housing development authorized under the program. The bill would authorize a city or county to propose objective design review standards, as specified, and authorize a city or county to propose modifications to mitigate any specific, adverse impacts on public health or safety, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 309 without my signature. This bill would create the Social Housing Program in the Department of General Services (DGS). The program would identify and produce three social housing projects on excess state-owned property through development or acquisition . This bill infringes on state sovereignty over state-owned real property by establishing a new process for local government review of state projects authorized under the bill and could potentially cost the state several hundred million dollars in capital expenditures. State-owned sites identified as suitable for housing development already are being developed as affordable housing through the State Excess Sites program. This program, instituted through Executive Order (EO) N-06-19 and further codified through AB 2233 (Quirk-Silva, Chapter 438, Statutes of 2022) and SB 56 I [Dodd, Chapter 446, Statutes of 2022], has already awarded state land for 17 residential or mixed-use projects with significant affordable housing components. While I appreciate the author's commitment to build more affordable housing in the state, this bill creates new additional cost pressures and must be considered in the annual budget in the context of all state funding priorities. In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education , health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget , of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure. For these rea ons, I cannot sign this bill

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

[AB 469](#) **(Fong, Vince R) California Public Records Act Ombudsperson.**

Current Text: Vetoed: 10/7/2023 [html](#) [pdf](#)

Introduced: 2/6/2023

Last Amend: 9/7/2023

Status: 10/7/2023-Vetoed by Governor.

Location: 10/7/2023-A. VETOED

Summary: Would, subject to appropriation, establish the Office of the California Public Records Act Ombudsperson. The bill would require the Governor to appoint the ombudsperson subject to certain requirements. The bill would require the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided. The bill would require the ombudsperson to create a process to that effect, and would authorize a member of the public to submit a request for review to the ombudsperson consistent with that process. The bill would require the ombudsperson, within 30 days from receipt of a request for review, to make a determination, as provided, and would require the state agency to provide the

public record if the ombudsperson determines that it was improperly denied. The bill would require the ombudsperson to create a process through which a person whose information is contained in a record being reviewed may intervene to assert their privacy and confidentiality rights, and would otherwise require the ombudsperson to maintain the privacy and confidentiality of records, as provided. The bill would require the ombudsperson to report to the Legislature, on or before March 31, 2025, and annually thereafter, on, among other things, the number of requests for review the ombudsperson has received in the prior year.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 469 without my signature. This bill, subject to appropriation, would create the Office of the California Public Records Act Ombudsperson within state government. The ombudsperson would be appointed by the Governor, and would be tasked with determining whether denials of public records requests by state agencies complied with the California Public Records Act. State agencies diligently comply with the Public Records Act, and relief is currently available through the courts for those who feel an agency's decision was incorrect. This bill would create an unnecessary layer of review by an official who would interpret the law in a manner that may or may not be consistent with case law. Additionally, establishment of this office would result in tens of millions of dollars in cost pressures not considered in the annual budget process. In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing. With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure

Client	Position	Priority	Assigned To
RPEA	S1	PM	AR, PM

AB 658 (Fong, Mike D) Public employment: retirement: benefits.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Chapter Number: 538

Introduced: 2/9/2023

Last Amend: 9/5/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 538, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: Would authorize the City of San Gabriel to enter into an agreement with specified employees hired, and elected officials who first served, on or after January 1, 2023, to provide employer contributions for postretirement health care coverage to employees with at least 5 years of credited service with the City of San Gabriel. The bill would provide that its provisions for postretirement health benefits apply to employees who retire on or after the date that a memorandum of understanding that authorizes this benefit becomes effective. The bill would require the City of San Gabriel to provide notice, as prescribed, of the agreement and any additional information necessary to implement these benefits.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

AB 751 (Schiavo D) Elder abuse.

Current Text: Chaptered: 6/29/2023 [html](#) [pdf](#)

Chapter Number: 18

Introduced: 2/13/2023

Last Amend: 3/16/2023

Status: 6/29/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 18, Statutes of 2023.

Location: 6/29/2023-A. CHAPTERED

Summary: Current law requires every local law enforcement agency to, when the agency next undertakes the policy revision process, revise or include specified information about the elements of elder abuse crimes in the portion of its policy manual relating to elder and dependent adult abuse, if that policy manual exists. Current law requires a municipal police department or county sheriffs' department that adopts or revises a policy regarding elder and dependent adult abuse or senior and disability victimization on or after April 13, 2021, to include specified provisions regarding procedures for investigating elder abuse in that policy. This bill would clarify that a department that complied or complies with the requirements above regarding including specified

information about the elements of elder abuse crimes in their policy manuals on or after April 13, 2021, is required to include the specified provisions regarding procedures for investigating elder abuse in their policy.

Client	Position	Priority	Assigned To
RPEA	S2	PM	AR, PM

AB 839 (Addis D) Residential care facilities for the elderly: financing.

Current Text: Chaptered: 10/10/2023 [html](#) [pdf](#)

Chapter Number: 667

Introduced: 2/14/2023

Last Amend: 6/20/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 667, Statutes of 2023.

Location: 10/10/2023-A. CHAPTERED

Summary: Under current law, the California Health Facilities Financing Authority Act, the California Health Facilities Financing Authority is authorized to make and fund loans through the issuance of revenue bonds, and award grants, to finance or refinance projects by participating health institutions, as defined. Under the act, projects include construction, expansion, remodeling, renovation, furnishing, or equipping, or funding, financing, or refinancing of a health facility, as defined, or acquisition of a health facility to be financed or refinanced with funds provided in whole or in part pursuant to the act. Under the act, the California Health Facilities Financing Authority Fund is created, with moneys in the fund continuously appropriated to the authority for carrying out the purposes of the act. This bill would expand the above-described program to include residential care facilities for the elderly (RCFEs) by adding an RCFE to the definition of "health facility" under the program. The bill would make conforming changes to related provisions. The bill would clarify that other provisions under existing law relating to health facilities would not be affected by the expanded definition, as specified.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

AB 1417 (Wood D) Elder and dependent adult abuse: mandated reporting.

Current Text: Chaptered: 10/9/2023 [html](#) [pdf](#)

Chapter Number: 580

Introduced: 2/17/2023

Last Amend: 9/1/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 580, Statutes of 2023.

Location: 10/9/2023-A. CHAPTERED

Summary: Current law establishes certain procedures for mandated reporters to report known or suspected instances of abuse by telephone followed by a written report, or through a confidential internet reporting tool, as specified. If the abuse is physical abuse, and the abuse occurred in a long-term care facility, with exceptions, current law sets forth the reporting conditions, including those relating to the format, timelines, and recipients of the reporting. Under Current law, the reporting conditions are based on whether or not the suspected abuse results in serious bodily injury, or whether the suspected abuse is allegedly caused by a resident with a physician's diagnosis of dementia and there is no serious bodily injury, as specified. If the abuse is not physical abuse, and the abuse occurred in a long-term care facility, with exceptions, existing law requires a telephone report and a written report to be made to the local ombudsman or the local law enforcement agency. This bill would delete and reorganize some of those reporting provisions. Under the bill, if the abuse that occurred in a long-term facility was allegedly caused by another resident of the facility with dementia diagnosed by a licensed physician and there was no serious bodily injury, the reporter would be required to submit a written report within 24 hours to the long-term care ombudsman and the local law enforcement agency. Under the bill, in all other instances, immediately or as soon as practically possible, but no longer than 2 hours, the reporter would be required to submit a verbal report to the local law enforcement agency, and to submit a written report within 24 hours to the aforementioned recipients. Under the bill, the time limit for reporting would begin when the mandated reporter observes, obtains knowledge of, or suspects the abuse or neglect.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

SB 17 (Caballero D) Senior housing: tax credits.

Current Text: Vetoed: 10/7/2023 [html](#) [pdf](#)

Introduced: 12/5/2022

Last Amend: 4/18/2023

Status: 10/7/2023-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 10/7/2023-S. VETOED

Summary: Current law, enacted to implement a specified low-income housing tax credit established by federal law, requires the California Tax Credit Allocation Committee to annually determine and allocate the state ceiling in accordance with those provisions and in conformity with federal law. Current law authorizes the committee to adopt, amend, or repeal rules and regulations for the allocation of housing credits. Current law requires that specified amounts of the low-income housing tax credits be set aside for allocation to rural areas, small developments, and farmworker housing, as specified. This bill would require the committee to revise its regulations to increase the housing type goal for senior developments to 20 percent.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 17 without my signature. This bill would require the California Tax Credit Allocation Committee (TCAC) within the State Treasurer's Office to revise the regulations for the low-income housing tax credit (LIHTC) to increase the housing-type goal for senior developments from 15 percent to 20 percent. While I appreciate the author's commitment to increase the supply of affordable housing for seniors, statutorily mandating this change may adversely impact access to affordable housing for other population groups. TCAC already has the authority to revise its regulations, which can be done in conjunction with a robust stakeholder process to inform any adjustments. This bill would bypass that process. For this reason, I cannot sign this bill.

Client	Position	Priority	Assigned To
RPEA	S2	PM	AR, PM

SB 43 **(Eggman D) Behavioral health.**

Current Text: Chaptered: 10/10/2023 [html](#) [pdf](#)

Chapter Number: 637

Introduced: 12/5/2022

Last Amend: 9/8/2023

Status: 10/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 637, Statutes of 2023.

Location: 10/10/2023-S. CHAPTERED

Summary: The Lanterman-Petris-Short Act provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled. Current law, for purposes of involuntary commitment, defines "gravely disabled" as either a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for food, clothing, or shelter or has been found mentally incompetent, as specified. This bill expands the definition of "gravely disabled" to also include a condition in which a person, as a result of a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder, is, in addition to the basic personal needs described above, unable to provide for their personal safety or necessary medical care, as defined.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

SB 544 **(Laird D) Bagley-Keene Open Meeting Act: teleconferencing.**

Current Text: Chaptered: 9/22/2023 [html](#) [pdf](#)

Chapter Number: 216

Introduced: 2/15/2023

Last Amend: 9/8/2023

Status: 9/22/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 216, Statutes of 2023.

Location: 9/22/2023-S. CHAPTERED

Summary: Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting. This bill would enact an additional, alternative set of

provisions under which a state body may hold a meeting by teleconference. The bill would require at least one member of the state body to be physically present at each teleconference location, defined for these purposes as a physical location that is accessible to the public and from which members of the public may participate in the meeting. The bill would, under specified circumstances, authorize a member of the state body to participate from a remote location, which would not be required to be accessible to the public and which the bill would prohibit the notice and agenda from disclosing. Specifically, the bill would authorize a member's remote participation if the other members who are physically present at the same teleconference location constitute a majority of the state body. The bill would also authorize a member's remote participation if the member has a need related to a disability and notifies the state body, as specified. Under the bill, that member would be counted toward the majority of members required to be physically present at the same teleconference location. The bill would require a member who participates from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with those individuals. This bill contains other related provisions and other existing laws.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

SB 621 (Caballero D) Health care coverage: biosimilar drugs.

Current Text: Chaptered: 10/8/2023 [html](#) [pdf](#)

Chapter Number: 495

Introduced: 2/15/2023

Last Amend: 5/2/2023

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 495, Statutes of 2023.

Location: 10/8/2023-S. CHAPTERED

Summary: Current law authorizes a health care service plan or health insurer that provides coverage for prescription drugs to require step therapy if there is more than one drug that is clinically appropriate for the treatment of a medical condition, but requires a plan or insurer to expeditiously grant a step therapy exception request if specified criteria are met. Current law does not prohibit a plan, insurer, or utilization review organization from requiring an enrollee or insured to try an AB-rated generic equivalent or interchangeable biological product before providing coverage for the equivalent branded prescription drug. This bill would specify that a plan, insurer, or utilization review organization is also not prohibited from requiring an enrollee or insured to try a biosimilar before providing coverage for the equivalent branded prescription drug, but that the requirement to try biosimilar, generic, and interchangeable drugs does not prohibit or supersede a step therapy exception request.

Client	Position	Priority	Assigned To
RPEA	W	PM	AR, PM

SCR 5 (Nguyen R) Older Americans Month.

Current Text: Chaptered: 6/6/2023 [html](#) [pdf](#)

Chapter Number: 85

Introduced: 12/5/2022

Status: 6/1/2023-Chaptered by Secretary of State- Chapter 85, Statutes of 2023

Location: 6/1/2023-S. CHAPTERED

Summary: Would recognize the month of May 2023 as Older Americans Month and would encourage all Californians to recognize and treat all older adults with compassion and respect, and to participate in services and activities that contribute to the health, welfare, and happiness of older adults.

Client	Position	Priority	Assigned To
RPEA	S	PM	AR, PM

SJR 1 (Cortese D) Social Security Act: repeal of benefit reductions.

Current Text: Chaptered: 6/2/2023 [html](#) [pdf](#)

Chapter Number: 84

Introduced: 12/5/2022

Last Amend: 4/12/2023

Status: 5/26/2023-Chaptered by Secretary of State- Chapter 84, Statutes of 2023

Location: 5/26/2023-S. CHAPTERED

Summary: Would request the Congress of the United States to enact, and the President to sign, legislation that would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act. This bill contains other related provisions.

Client	Position	Priority	Assigned To
RPEA	S1	PM	AR, PM

Total Measures: 12

Total Tracking Forms: 12