



2023-2024 LEGISLATIVE SESSION: END OF SESSION LEGISLATIVE UPDATE

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Summary of the 2023 Legislative Session

- CALBO had 22 High Priority Bills this year
- 11 High Priority Bills made it to the Governor's Office with 6 CALBO has a position on.
- Legislative Session Ended on September 14th
- Upcoming Deadlines
 - October 14: Last day for Governor Newsom to Sign or Veto bills
 - January 1: Bills become state law



High Priority Bills CALBO

Supports



AB 468: State Building Standards

AB 1445: *The Neng Thao Drowning Prevention Safety Act*

AB 1505: Seismic retrofitting: soft story multifamily housing

SB 356: Housing: Code Enforcement Incentive Program: Community Code Enforcement Pilot Program

SB 837: Energy: building energy standards: unvented attics

AB 1332: Accessory Dwelling Units: preapproved plans

AB 1046: Alquist-Priolo Earthquake Fault Zoning Act: exemptions

*Highlighted bills denotes a Support if Amended position

High Priority Bills CALBO Opposes

AB 42: Tiny homes: fire sprinkler requirements

AB 704: Energy: building standards: photovoltaic requirements

AB 1132: Solar energy systems: permit fees

AB 1504: Planning and zoning: adoption of regulations: electric vehicle charging stations

AB 1532: Office conversion projects

★Highlighted bills denotes an Oppose unless Amended position

High Priority
Bills: Oppose to
Neutral/Watch

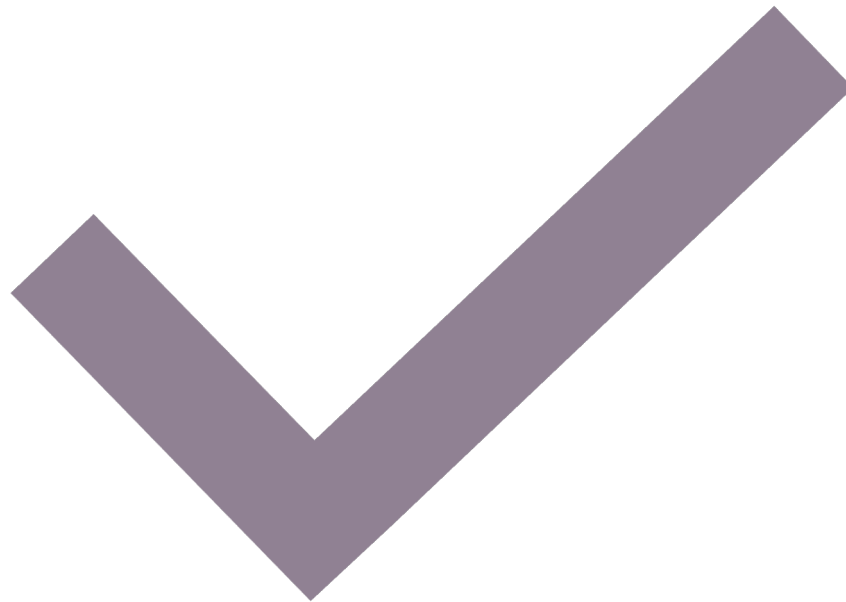


- AB 1490: Affordable housing development projects: adaptive reuse
- SB 597: Building standards: rainwater catchment systems
- SB 745: *The Drought-Resistant Buildings Act*

THERE

HERE

Support Position





AB 468: Substandard Buildings

Expands the definition of substandard buildings to include a residential building regardless of zoning designation or approved use of the building.

States that a violation of municipal codes are included in State Housing Law.

Increases safety protections to a building that puts occupants of the building, nearby residents, or the public at risk.



AB 468 Major Changes

The enforcement agency may not commence court proceedings unless the following conditions are met:

- The owner declares under penalty of perjury the occupant is illegally occupying the building
 - The owner files and is prosecuting an unlawful detainer
- The enforcement agency determines the building poses no risk to lawful occupants, nearby residents, or the public.
- This bill died in the Senate Appropriations Committee and is a 2-year bill.





AB 1445: Drowning Prevention



- Authorizes public elementary schools in the 2024-2025 school year to provide informational materials on drowning and water safety to parents or legal guardians of students in Kindergarten to 3rd grade.
- The materials should cover water safety around bodies of water including residential pools and spas, bathtubs, and open bodies of water such as lakes, rivers, canals etc.



AB 1445: Major changes

- This bill authorizes instead of requires school districts to provide drowning prevention materials to parents and guardians.
- Removes the requirement to apply to Kindergarten to 3rd grade and instead does not specify grades to provide the material to.





AB 1505: Earthquake Safety and Seismic Retrofitting Grant Program

- States the intent of the legislature to appropriate \$250M from the general fund to establish a seismic retrofitting program for soft story multifamily homes.
- The goal is to financially assist owners of soft story multifamily housing to retrofit homes for better earthquake safety.





AB 1505: Major Changes

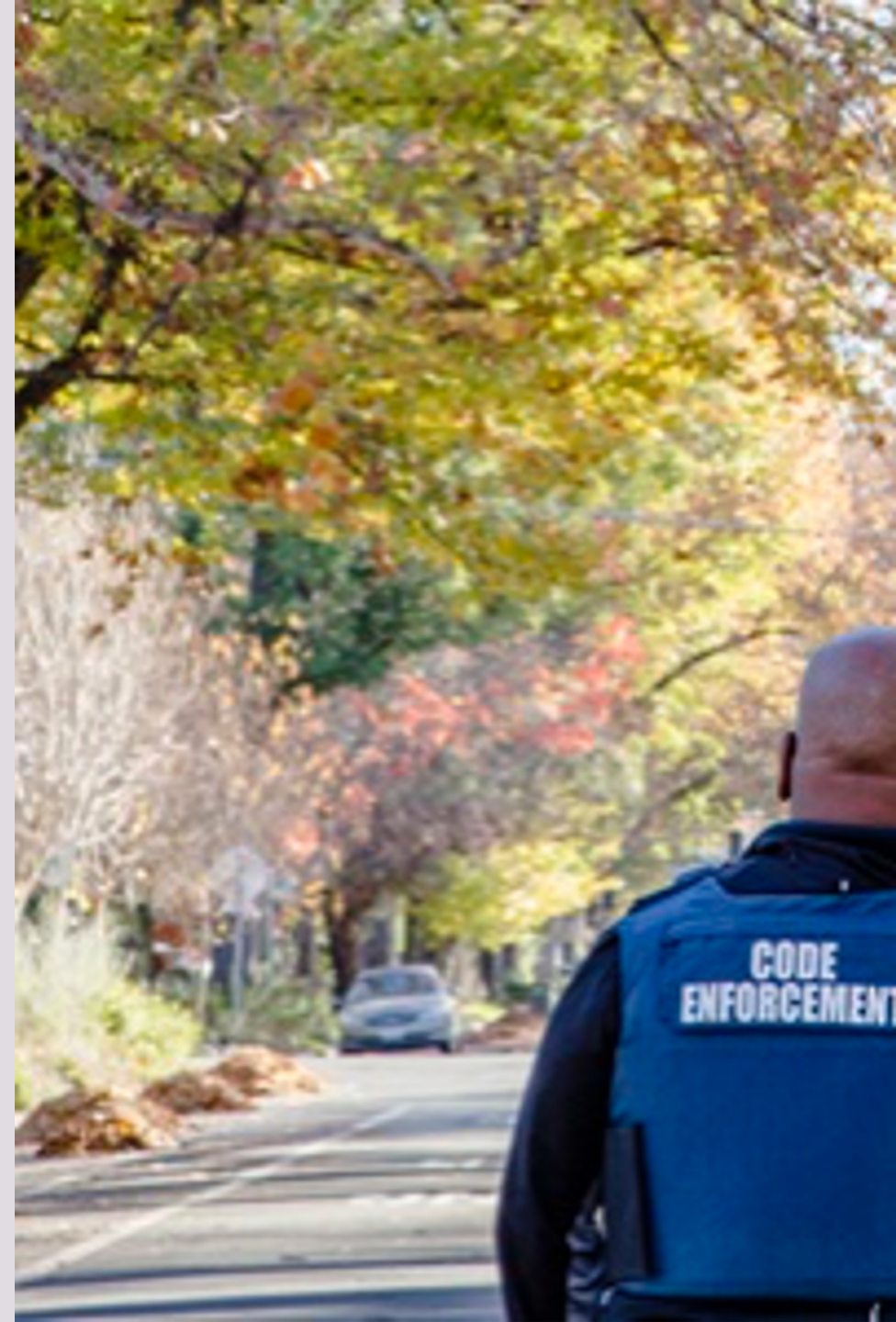
- Does not require a state appropriation as in the previous version.
- Now just authorizes the Office of Emergency Services to dedicate federal Hazard Mitigation Grant Program to the Seismic Retrofitting Program for Soft Story Multifamily Housing.
- This bill was moved to the Senate Inactive File and did not pass this year.



SB 356: Code Enforcement Pilot Project and Incentive Program



- Provides funding for local jurisdictions to establish a code enforcement program.
- Requires a 35% match program over three-years by the local government.
 - Increases available funding from \$450,000 to \$2M.
- Grant recipients must report efforts and recommendations for changes in state or local laws related to code enforcement to the legislature after each program cycle.
- Unfortunately, this bill is not moving this year as it was held on the Appropriations Suspense File and is a 2-year bill.



SB 837: Unvented Attics



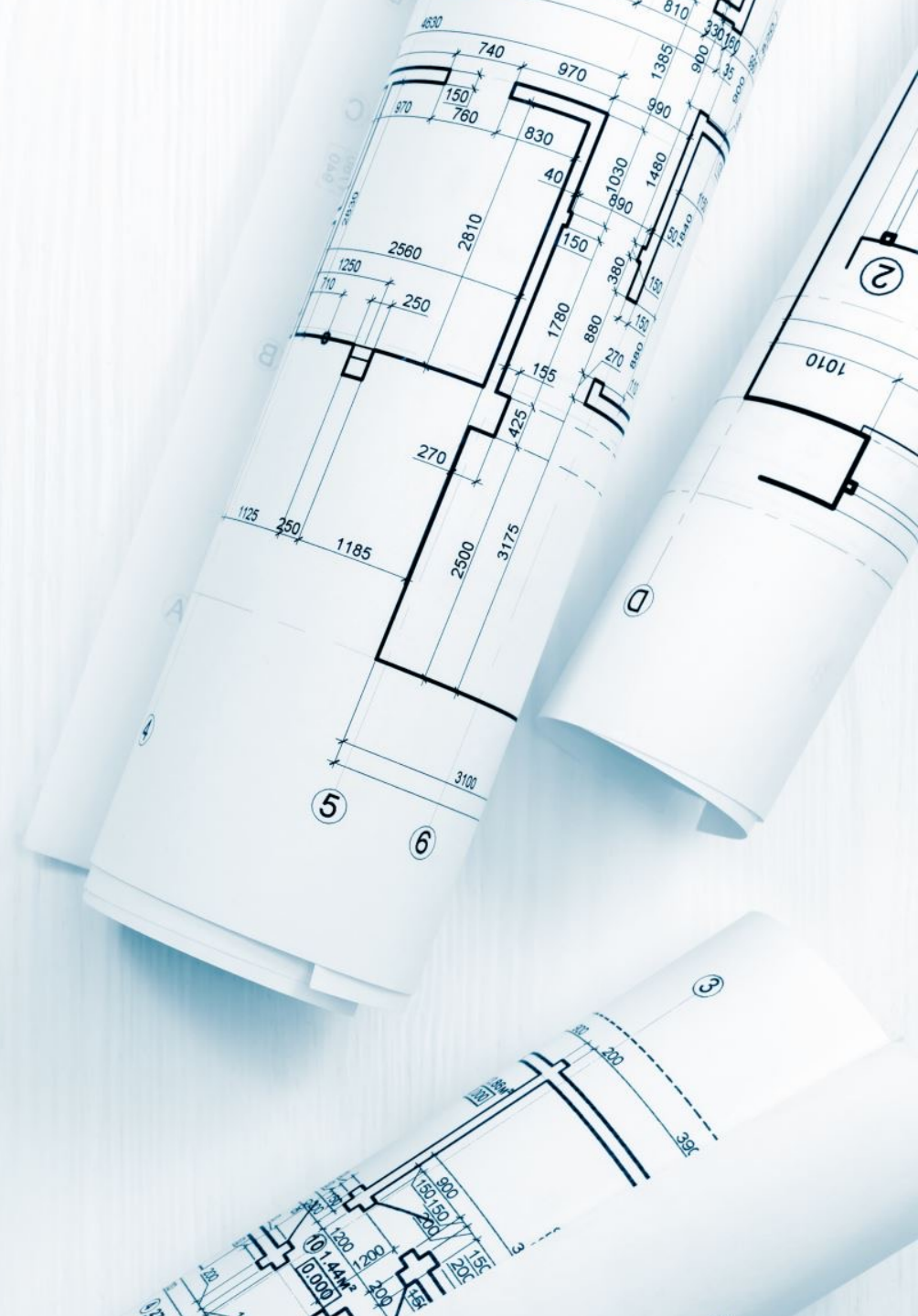
- Requires the CEC to consider revising the definition of “conditioned space indirectly” to include sealed and unvented attics.
- Focuses on having a discussion of potential definition change in the regulatory process but does not legislate code.
- Major change: Specifies sealed and unvented attics instead of just unvented attics.
- This bill passed the Legislature and is awaiting a signature from the Governor.



AB 1332: Preapproved ADU Program



- Requires local agencies to develop a program for the preapproval of ADUs by January 1, 2025
- Gives local jurisdictions the flexibility to adopt these locally and address community needs or reject plans if they do not comply with current safety standards.
- Allows local agencies to charge permit fees for these plans.
- Requires a 30-day approval or denial of an application if the plan is a preapproved plan established by the local agency or the plan is identical to a plan approved by a local agency during the current triennial code cycle.
- Allows compliance by using plans developed by other agencies within the state.





AB 1332: Major Changes

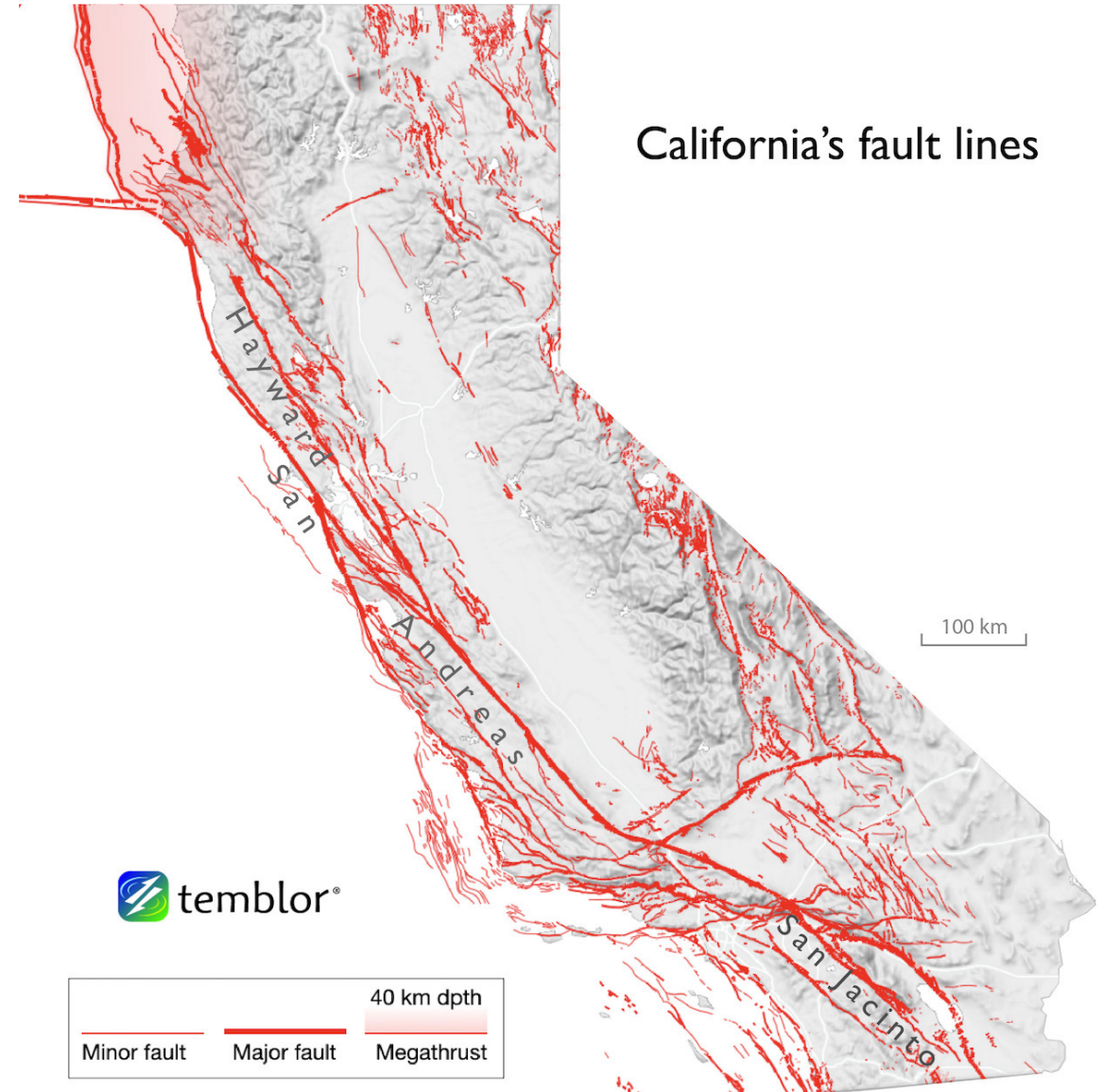
- In earlier versions, would have required 6 permit-ready ADU Plans now just requires a database/preapproval program for ADUs.
- Did not allow local building departments to collect permit fees, now allows local jurisdictions to collect permit fees for similar sized ADU plans.
- Did not allow jurisdictions to use other state agency plans, now allows local jurisdictions to use other jurisdiction plans for compliance.
- Used to require local agencies to approve identical plans for the last 3 years, now specifies it is during the current triennial code cycle instead.
- CALBO still has a Support if Amended Position, as the author's office informed CALBO they would not be requiring HCD to adopt a model preapproval program.
- This bill has passed the legislature and is awaiting a signature from the Governor.

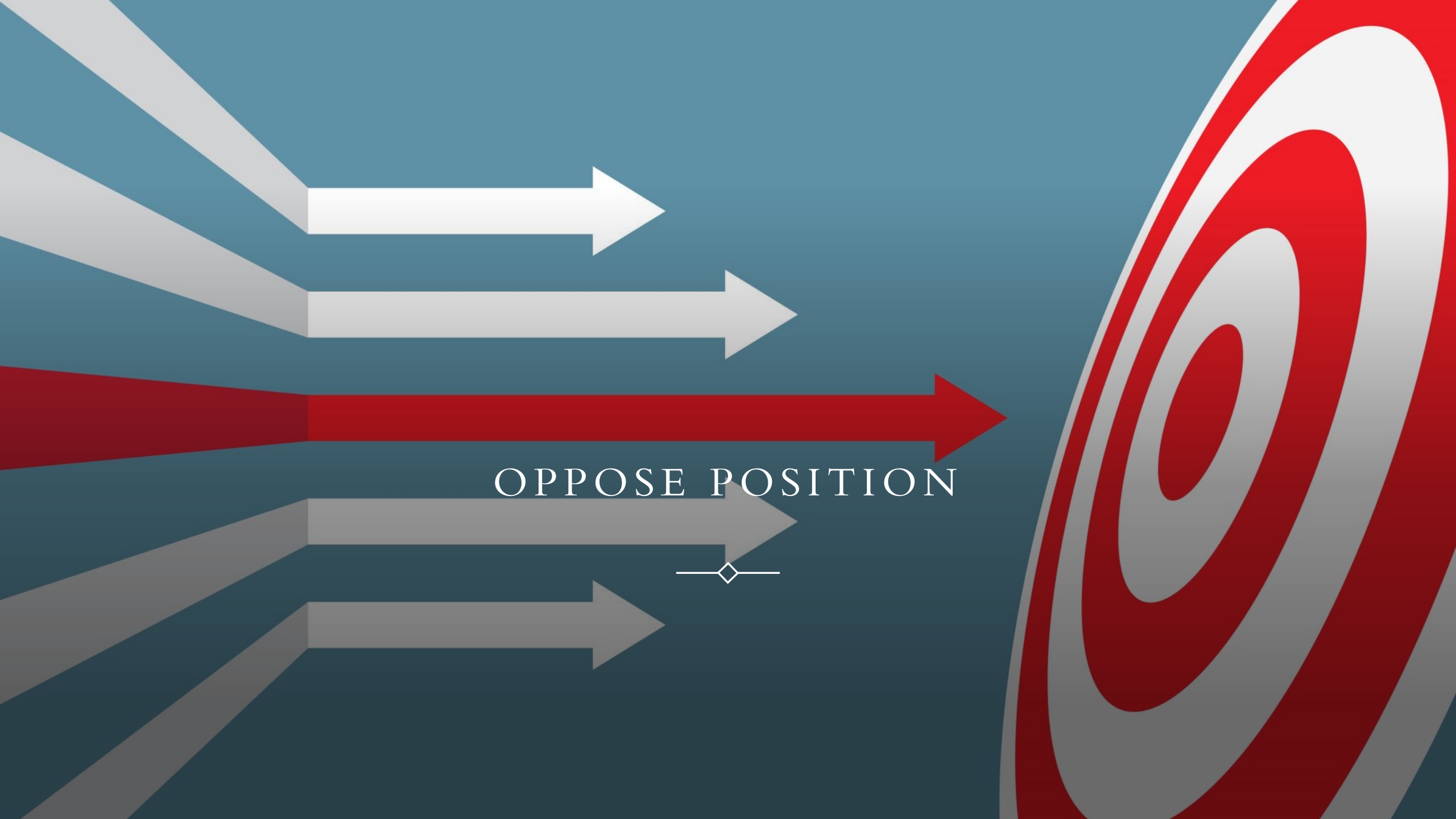


AB 1046: Modernizing the Alquist-Priolo Act

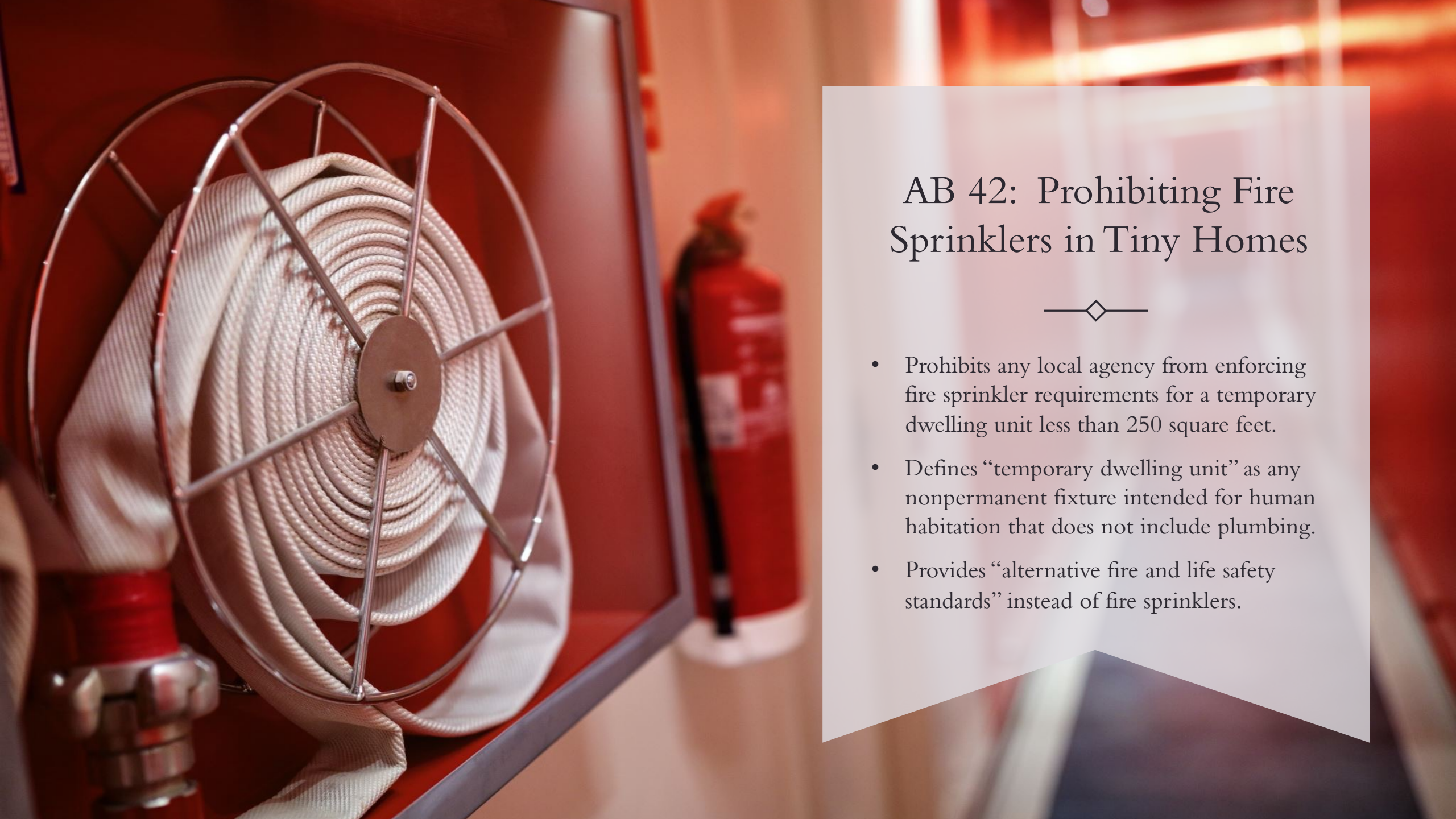


- Specifies that any terms not defined in the bill will fall back to the definitions in the California Building Standards Code.
- Exempts alterations to structures for human occupancy if there is no greater human occupant load from getting an exemption from the State Geologist on an earthquake fault zone map.
- Updates the bill to include buildings that have been deemed seismically vulnerable by SEAOC to reduce costs for seismic retrofits.
- This bill has passed the legislature and is awaiting a signature from the Governor.





OPPOSE POSITION



AB 42: Prohibiting Fire Sprinklers in Tiny Homes



- Prohibits any local agency from enforcing fire sprinkler requirements for a temporary dwelling unit less than 250 square feet.
- Defines “temporary dwelling unit” as any nonpermanent fixture intended for human habitation that does not include plumbing.
- Provides “alternative fire and life safety standards” instead of fire sprinklers.

AB 42: Major Changes



- Specifies Temporary Sleeping Cabins as any nonpermanent fixture providing temporary housing to people experiencing homelessness or at risk of homelessness and has a total floor area of 250 sq feet or less on a site with 50 units or fewer.
- Provides a sunset date of January 1, 2027.
- Changes to alternative fire life safety compliance:
 - A prohibition on the use of open flames and combustibles.
 - A prohibition of smoking on the site.
 - 24-hour active fire watch with no exemptions.
 - A separation distance of 6 feet and the use of noncombustible materials.
 - This bill passed the legislature and is awaiting Governor Newsom's Signature.



AB 704: Reducing Solar PV Regulations in some housing units



- Residential construction in areas where a state of emergency has been proclaimed by the Governor don't need to comply with new or conflicting PV requirements.
- Allows the structure to comply with solar PV requirements at the time of the emergency if specific conditions are met.
- Previous effort was Vetoed by the Governor.
- The bill was held on the Appropriations Suspense File and is a 2-year bill.

AB 1132: Solar Permit Fee Cap Extension



Extends the Solar Permit Fee cap sunset date to January 2034.

CALBO Amendments proposed: an inflationary adjustment local jurisdictions can use as a basis to further increase fee caps.

This bill is on the Governor's Desk.



AB 1504: Electric Vehicle Charging Stations

- This bill expands the definition of electric vehicle charging station to include a charging station installed with a battery storage system.
- Would require permitting requirements passed from AB 970 with these technologies.

AB 1504: Major Changes



- Requires a local agency to complete a plan including a permitting process for the installation of electric vehicle charging stations in the public right of way.
- Requires a local agency with a population of 250K or more to do this by January 1, 2027.
- Requires a local agency with a population of 250K or less to do this by January 1, 2029.
- 2-Year bill as it died in the Assembly Appropriations Committee.

TURNED

AB 1532: Office Conversion to Housing Projects



- Prohibits local enforcement agencies from imposing any inspection service or code enforcement fees for office conversion projects to residential housing.
- 2-year bill as it never got a hearing in a policy committee.



CALBO Position Changes

- AB 1490: Oppose  Neutral
- SB 597: Oppose Unless Amended  Neutral
- SB 745: Oppose  Neutral



AB 1490: Adaptive Reuse Projects

- Requires a 30 day or less shotclock on permits for extremely affordable adaptive reuse projects.
- Prohibits local enforcement agencies from collecting all local building permit fees.

AB 1490: Major Changes



- After conversations with CALBO removed the 30-day shot clock and waiving of all local building permit fees.
- Prohibits maximum density, floor area ratio, additional parking, or additional open space requirements on the project.
- Requires a 60-day review period for objective planning or design review standards for a project with 150 units or less
- Requires a 90-day review period for objective planning or design review standards for a project with 150 units or more.
- A planning issue, not a permitting issue now.
- **CALBO is neutral on the measure.**



SB 597: Rainwater Catchment Systems in Residential Housing

- Requires HCD in consultation with other state agencies to research and assist in the development of mandatory building standards for rainwater catchment systems in new residential construction.
- Requires BSC after January 1, 2025, to adopt mandatory building standards regarding these systems in new residential construction.
- CALBO amendments: Remove the requirement to adopt mandatory building standards in a specific timeline and focus on research and discussion about potential standards via the regulatory process instead.



SB 597: Major Changes



- Requires the Department of Housing and Community Development to conduct research and develop recommendations regarding building standards for the installation of rainwater catchment systems in newly constructed residential dwellings.
- Allows HCD to propose related building standards during the next code cycle but does not mandate new building standards.
- By January 2025, HCD must provide a report to the Assembly and Senate Housing Committees what their research found.
- CALBO moved to Neutral on the bill with the recent amendments.
- This bill died on the Senate Appropriations Suspense File and is a 2-year bill.



SB 745: Graywater and nonpotable water building standards

- Requires BSC to develop and propose mandatory building standards to reduce potable water demand of new buildings by 25% from current standards.
- Requires BSC in consultation with the State Water Resources Control Board to develop a guidance document and model local ordinance to adopt regulatory programs for onsite nonpotable water treatment systems.





SB 745: Major Changes

- Requires the Environmental Protection Agency, State Water Resources Control Board and the Department of Housing and Community to propose voluntary building standards in the California Green Building Standards code to reduce potable water use in new residential buildings.
- Defines water reuse system as the system approved for installation under the California Building Standards Code that uses recycled water, graywater, rainwater, or other nonpotable water sources for nonpotable indoor or outdoor building use including landscaping, toilet and urinal flushing, floor trap priming, or cooling towers.
- CALBO Moved to Neutral after the Amendments were accepted.





Questions?