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EXECUTIVE OFFICER’S REPORT ON PENDING LEGISLATION

As of 05/25/2022

# Administration and Finance

## [AB 1733, Quirk, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=RgyqqACJgpU9TD4xCqYxvNymykGnCfvQClCRf%2BL5hMyptgM6ywUoelIq%2FDGunm52)

***Status: In committee: Hearing postponed by committee.***

*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 defines a “meeting” to include any congregation of a majority of the members of a state body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the state body to which it pertains. The act authorizes teleconferenced meetings under specified circumstances, provided that at least one member of the state body is physically present at the location specified in the notice of the meeting, and all votes taken during a teleconferenced meeting are taken by rollcall. The act provides that if the state body elects to conduct a meeting or proceeding by teleconference, the state body is required to post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. The act requires each teleconference location to be identified in the notice and agenda of the meeting or proceeding, and each teleconference location to be accessible to the public, and the agenda to provide an opportunity for members of the public to address the state body at each teleconference location.*

*This bill would specify that a “meeting” under the act, includes a meeting held entirely by teleconference. The bill would require all open meetings to be held by teleconference, would allow for use of teleconference in closed sessions, and would remove existing provisions of the act that require each teleconference location to be identified in the notice and agenda and accessible to the public.*

*The bill would instead require the state body to provide a means by which the public may remotely hear, or hear and observe, the meeting and may remotely address the state body via two-way audio-visual platform or two-way telephonic service, as specified, and would require information to be provided in any notice to the public indicating how the public can access the meeting remotely.*

*The bill would require the state body to provide an opportunity for members of the public to address the state body. The bill would require the state body to provide members of the public a physical location to hear, observe, and address the state body, and would authorize the members of the state body to participate in a meeting remotely or at a designated physical meeting location, and specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting. The bill would require the agenda to be posted 10 days in advance of the meeting, or as provided in accordance with the provisions applicable to a special or emergency meeting, as well as posted on the state body’s internet website and, on the day of the meeting, at any physical meeting location designated in the notice. The bill would also provide that the notice of the meeting is required to specify how a meeting may be accessed by teleconference.*

*The bill would prohibit the notice and agenda from disclosing any information regarding any remote location from which a member is participating and require members attending a meeting from a remote location to disclose whether any other individuals 18 years of age or older are present in the room, as specified.*

## [AB 1795, Fong, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=EoDozBYU30tlK5tdGdPnU%2Fdf3qcUsN4SBZrXQemUab%2BOK6myqLnEUyiEoC3iegiL)

***Status: Re-referred to Committee on Governmental Operations.***

*Existing law, the Bagley-Keene Open Meeting Act, requires state bodies to allow all persons to attend meetings and provide an opportunity for the public to address the state body regarding any item included in its agenda, except as specified.*

*This bill would require state bodies, subject to existing exceptions, to provide all persons the ability to participate both in-person and remotely, as defined, in any meeting and to address the body remotely.*

## [AB 1996, Cooley, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=P2p%2FllLlYedvNcg0FRTjfgQNhcvGUD7M2aNz3HnxFKfr4ScqPEo0nXVIY9Nel%2Bgs)

***Status: In committee. First hearing set. Referred to suspense file.***

*Existing law, the Administrative Procedure Act, in part, authorizes various state entities to adopt, amend, or repeal regulations for various specified purposes. These rulemaking provisions of the act require the Office of Administrative Law and the state agency proposing to adopt, amend, or repeal a regulation to review the proposed changes for, among other things, consistency with existing state regulations. Existing law requires the office to initiate a priority review of existing regulations when requested by a committee of the Legislature, as specified.*

*This bill would require each state agency to, on or before January 1, 2026, review that agency’s regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, as provided, and report to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2027.*

This bill would continuously appropriate $480,000,000 and $20,000,000 to the Department of Forestry and Fire Prevention and the California Conservation Corps, respectively, for fire prevention activities, as provided.

## [AB 339, Lee, As Amended](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=vU4B6HzwJhhGD9tzR1KpXkqRzjb%2FlzXBYZnSEcvFAlkG6jh4yzBXpVXditw62REU)

***Status: Consideration of Governor’s veto stricken from file.***

Existing law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public and requires all persons to be permitted to attend the meetings, except as specified.

This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation, as provided, and requires translation services to be provided for the 10 most-spoken languages, other than English, in California, and would require those persons commenting in a language other than English to have double the amount of time as those giving a comment in English, if time restrictions on public comment are utilized, except as specified.

The bill would require instructions on how to attend the meeting to be posted at the time notice of the meeting is publicized, as specified.

## [SB 45, Portantino, As Amended](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=JBdPy55bIuqMc7brOpmTRk3KokTQ2N7%2FGuS6AQRMXY3JcmXQZtVdyjgFVpKgIO9%2B)

***Status: Referred to Committee on Natural Resources.*** *Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals.* *This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.*

# Forestry

## [AB 522, Fong, As Introduced](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB522)

***Status: In Senate. Referred to Committee on Natural Resources and Water.***

*The Z’berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the harvesting of trees for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns, as provided, known as the Forest Fire Prevention Exemption. The act provides that the Forest Fire Prevention Exemption is operative for a period of 5 years after the effective date of emergency regulations adopted by the board to implement the exemption and is inoperative after that 5-year period. Existing regulations implementing that exemption specify that it becomes inoperative 5 years after February 19, 2019.*

*This bill would make the operation of the Forest Fire Prevention Exemption inoperative on January 1, 2026.*

## [SB 1404, Stern, As Introduced](https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202120220AB853)

***Status: Re-referred to Committee on Natural Resources and Water.***

*The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires a county to determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. CEQA requires the county to require certain oak woodlands mitigation alternatives if the county determines that there may be a significant effect to oak woodlands. CEQA exempts certain projects from this requirement. CEQA requires a lead agency that adopts, and a project that incorporates, one or more of the mitigation alternatives to be deemed to be in compliance with CEQA only as it applies to effects on oaks and oak woodlands.*

*This bill would instead require a lead agency to determine whether a project within its jurisdiction may result in a conversion of oak woodlands, as defined, that will have a significant effect on the environment and to require certain oak woodlands mitigation alternatives and would make conforming changes. The bill would provide that the removal of 3 or more oak trees within an oak woodland located within areas mapped by state or local agencies as areas critical to habitat linkage, natural resources protection, or otherwise related to biodiversity and conservation constitutes a significant effect on the environment. By imposing duties on local lead agencies, the bill would impose a state-mandated local program.*

## [AB 2225, Ward, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=CJxGjbyUWuRz1p8BnohbJLtOWzl6RXTg0CHFGgqlaQNG0sVGpTa6AE9Me75xMZ5U)

***Status: Read second time and amended. Ordered to third reading.***

*Existing law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state’s natural and cultural resources.*

*This bill would require the agency, no later than January 1, 2024, to conduct regional workshops with Native American tribes across the state to solicit the input, priorities, and concerns of Native American tribes regarding the state’s collection, acquisition, storage, and use of traditional ecological knowledge, as defined. The bill would require the agency, no later than July 1, 2024, in consultation with the Governor’s tribal advisor, to adopt a policy regarding the state’s collection, acquisition, storage, and use of traditional knowledge, as provided. The bill would require, on and after July 1, 2024 every department, board, conservancy, and commission under the agency to, among other things, incorporate the policy described above, including in guidelines for grant programs that offer land conservation or management funding.*

# Fire Protection/Fuel Management

## [AB 1154, Patterson, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=SqdmjHwZrDqKnEHtEirtlzbkuAUKPYbM6aJ06FkqeFrqNC19fTon8GrdEMwaHv%2FD)

***Status: In Senate. Referred to Committee on Environmental Quality.***

*The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.*

*This bill would, until January 1, 2029, exempt from CEQA egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met.*

*The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt.*

*The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt.*

*The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.*

## [SB 396, Dahle, As Amended](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB396)

**Status: From inactive file. Ordered to third reading.**

*Existing law authorizes any person who owns, controls, operates, or maintains any electrical transmission or distribution line to traverse land as necessary, regardless of land ownership or express permission to traverse land from the landowner, after providing notice and an opportunity to be heard to the landowner, to prune trees to maintain clearances, as provided, and to abate, by pruning or removal, any hazardous, dead, rotten, diseased, or structurally defective live trees. Existing law authorizes this abatement at the full discretion of the person that owns, controls, operates, or maintains the electrical transmission or distribution lines, except for certain applicable minimum clearance requirements for those lines.*

*This bill would, regarding those provisions related to electrical lines and abatement activities for an electrical corporation who owns, controls, operates, or maintains an electrical transmission or distribution line, specify that covered abatement activities include felling, cutting, or trimming trees.*

*The bill would explicitly require all these line clearance and tree pruning and abatement activities to comply with the Public Utilities Commission’s vegetation management rules, if applicable. The bill would require any trees that are felled, cut, or trimmed, as provided, to remain on the property of the landowner, unless the landowner timely requests the electrical corporation to treat or remove the wood, as specified, at no cost to the landowner.*

*The bill would repeal these provisions on January 1, 2026.*

## [SB 896, Dodd, As introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=OK7IQgBAAizgRDSYHmSYxjLWhyWVp%2BimkYe4QOorK3zCvz3kICK8e5mKYBSdcLZo)

***Status: Read third time, passed. In Assembly, read first time.***

*Existing law requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to maintain defensible space of 100 feet from each side. Existing law requires the Director of Forestry and Fire Protection to establish a statewide program to allow qualified entities, including counties and other political subdivisions of the state, to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts. Existing law requires the director to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by the qualified entities, to be reported to the department.*

*This bill would require any local governmental entity that is qualified to conduct these defensible space assessments in very high and high fire hazard severity zones, as specified, and that reports that information to the department, to report that information using the common reporting platform. The bill would require the department, on December 31, 2023, and annually thereafter, to report to the Legislature all defensible space data collected through the common reporting platform, as provided.*

## [AB 267, Valladares, As Amended](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=fuheROcZo7FX28vWSHiP7w623DyiZSupZfBcg0zCFdcTO1%2Fjwva9U2695Luk6F8k)

***Status: In committee: First hearing set. Hearing canceled at the request of author.***

*Existing law, until January 1, 2023, exempts from the requirements of CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969, as provided. Existing law requires the Department of Forestry and Fire Protection, beginning December 31, 2019, and annually thereafter until January 1, 2023, to report to the relevant policy committees of the Legislature the number of times the exemption was used.*

*This bill would extend the exemption from CEQA and the requirement on the department to report to the relevant policy committees of the Legislature to January 1, 2026.*

## [AB 2450, Valladares, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=YjlkZmYL7a9FgiTGzboD75N2M8jiN9ttygVHM%2F46aZ7T8vokZspw5qNoeYpx61jI)

***Status: Read second time. Ordered to third reading.***

*Existing law provides for regulation of insurers by the Department of Insurance. Existing law sets forth the standard form of a fire insurance policy and requires all fire policies on subject matter in California to be on the standard form. Existing law authorizes specified clauses to be added to the standard form, including clauses that cover subject matter and risks not otherwise covered by the standard form and clauses that assume greater liability than is otherwise imposed on the insurer.*

*This bill would additionally authorize a clause to be added to the standard form that would require an insured, if mutually agreed upon by the insurer and the insured, to pay a deductible for covered losses caused by wildfire. The bill would remove an obsolete provision authorizing a limited liability clause to be included in specified policies.*

## [AB 2115, Flora, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=q24SwZR3gqG3OVrRPlB%2BGPitygS0ROhfvgulnUbR63z1541js7j0xKbRYae4G8Yr)

***Status: Referred to Committee on Natural Resources.***

*Existing law prohibits, during any time of the year when burning permits are required in specified areas, any person from using or operating or causing to be operated in that area any portable saw, auger, or drill, or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest-covered land, brush-covered land, or grass-covered land, within 25 feet of any flammable material, without providing and maintaining at the immediate locations of use or operation of the tool powered by a gasoline-fueled internal combustion engine, for firefighting purposes one serviceable round point shovel, with an overall length of not less than 46 inches, or one serviceable fire extinguisher. Existing law provides that the violation of this law is a misdemeanor.*

*This bill would instead require, in the above described scenario, the providing and maintaining at the immediate locations of use or operation of the tool powered by a gasoline-fueled internal combustion engine, for firefighting purposes, 2 serviceable round point shovels, of any length, or 2 serviceable fire extinguishers.*

*By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.*

## [AB 2479, Wood, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=qAjFvUsmuf73U0c32snvAbpOK2e98GsFO9aaOIzEe7KRmPv9ba8zxtp%2BmH96JL1K)

***Status: In Committee: Held under submission.***

*Existing law declares the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state’s greenhouse gas emissions reduction goals. Existing law requires all state agencies to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands. This bill would require all state agencies, when funding restoration efforts on natural and working lands, to prioritize restoration projects that have a permanent, enforceable mechanism to ensure that the project area will be managed in a manner that maintains the desired conditions and the value of the state’s investment.*

## [AB 2490, Mayes, As Introduced](https://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=oq%2FUoKMBO8fcLAa5%2BuGK3j0JA8CpP7KZqsICuvIeDrNFNU7ejFqTsltUV7NNPdua)

***Status: In committee. Hearing postponed by committee.***

*Existing law authorizes a person who owns, controls, operates, or maintains an electrical transmission or distribution line to traverse land as necessary, regardless of land ownership or express permission to traverse land from the landowner, after providing notice and an opportunity to be heard to the landowner, to prune trees to maintain clearances, as provided.*

*This bill would make a non-substantive change to this law.*

# Land Use Planning

## [SB 12, McGuire, As Amended](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=%2B71aDKLa1xUhMjgojCADJkXkqsmeyjykd14LjUeyiJgAKKj66StTbGqkUHJHM5UD)

***Status: Read second time and amended. Re-referred to Committee on Housing and Development.***

This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

*The bill would require a city or county that contains residential structures in a very high fire risk area, as defined, upon each revision of the housing element on or after July 1, 2024, to amend the land use element of its general plan to contain, among other things, the locations of all very high fire risk areas within the city or county and feasible implementation measures designed to carry out specified goals, objectives, and policies relating to the protection of lives and property from unreasonable risk of wildfire. The bill would require the city or county to complete a review of, and make findings related to, wildfire risk reduction standards, as defined, upon each subsequent revision of the housing element, as provided. The bill would require the State Board of Forestry and Fire Protection to review the findings and make recommendations.*

The bill would also require the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years, to identify new information relating to retrofit updates applicable to the city or county that was not available during the previous revision of the safety element. By increasing the duties of local officials, this bill would create a state-mandated local program.

*The bill would additionally require the Office of the State Fire Marshal, in consultation with the Office of Planning and Research and the Board of Forestry and Fire Protection, by January 1, 2023, to adopt wildfire risk reduction standards that meet certain requirements and standards for third-party inspection and certifications for a specified enforcement program. The bill would also require the Office of the State Fire Marshal to, by January 1, 2024, update the maps of the very high fire hazard severity zones, as specified. The bill would require the Office of the State Fire Marshal to convene a working group of stakeholders, as specified, to assist in this effort and to consider specified national standards.*

*This bill would specify that the State Fire Safe Development Regulations apply to the perimeters and access from the perimeters to all residential, commercial, and industrial building construction within lands classified and designated as very high fire hazard severity zones. The bill would also require the regulations to conform as nearly as practicable with specified existing regulations adopted by the State Fire Marshal.*

## [SB 55, Stern, As Amended](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=l%2FQJG%2B7lbeTKsAlNyNeOpdFAmbQoEdt8xTv7ORVhOp6wGvkIDFKlSNSwBbaBwjk%2F)

***Status: Returned to Secretary of State pursuant to Joint Rule 56.***

Existing law requires the Director of Forestry and Fire Protection to identify areas of the state as very high fire hazard severity zones based on specified criteria. Existing law requires a local agency to designate, by ordinance, very high hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the director. Existing law authorizes a local agency to include areas within its jurisdiction not identified as very high fire hazard severity zones by the director as very high fire hazard severity zones following a specified finding supported by substantial evidence.

This bill would, in furtherance of specified state housing *production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area. area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified.* By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

# Joint Institute for Wood Products Innovation

## [AB 2878, Aguiar-Curry, As Amended](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB322)

***Status: In committee. First hearing set. Referred to suspense file.***

*Existing law establishes in the Natural Resources Agency the Department of Forestry and Fire Protection (CalFire), and requires CalFire to be responsible for, among other things, fire protection and prevention, as provided. Existing law establishes the State Board of Forestry and Fire Protection in CalFire to represent the state’s interest in the acquisition and management of state forests and requires the board to maintain an adequate forest policy. The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the state board.*

*This bill would establish the Forest Waste Biomass Utilization Program to be administered by the state board’s Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of specified statewide forest management plans and to develop a workforce training program to complement workforce needs associated with the implementation plan.*

*The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2024, on the progress made on implementing the implementation plan.*