

September 5, 2023

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From: Sharon Gonsalves
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RE: Legislative Summary – August 2023

LEGISLATURE RETURNS FROM SUMMER RECESS FOR FINAL STRETCH

The Legislature returned from its Summer Recess on August 14 after spending the previous four weeks on break. With lawmakers in their districts there were no committee hearings or Floor sessions taking place for later half of the month. Since returning, the Legislature has been moving at a rushed pace to take up measures that are still moving so that they could make it to the Floor by September 1, which was the last day for fiscal committees to meet and report bills to the Floor. From September 5 to September 14, no prescheduled hearings will take place. Only “off the floor” hearings will occur, which is when a committee chair calls an impromptu hearing of their committee during a Floor session held in a nearby committee room.

Senate Leadership Change

Senate President pro Tempore Toni G. Atkins (D, San Diego) [announced](#) that the Senate Democratic Caucus had determined that Senator Mike McGuire (D, Healdsburg) will be the Pro Tem Designee, with a transition to be announced by January of 2024. Senate Leader Atkins has served in the Legislature since 2012 and as Pro Tem since 2018. Senator McGuire was elected to the Senate in 2014 and has served as Majority Leader since 2022. He would only be able to serve as Pro Tempore for two years, as his term in the Legislature ends in 2026. Additionally, he has opened an account to run for insurance commissioner in 2026.

Bills By The Numbers

As of August 31, there were approximately 1,200 bills still making their march through the legislative process. As reported in the RPPG Suspense File Memo, 201 bills were held under suspense and are no longer moving, while approximately 565 bills made it off their suspense files and continue on. As of today, there are currently approximately 1,000 measures that will be heard on the Floor over the next two weeks or are pending action by the Governor. 312 have been chaptered, three have been vetoed, and approximately 1,000 are no longer moving this year.

RPPG MONTHLY LEGISLATIVE ACTIVITY

RPPG continues to review priority bills—keeping City staff apprised of developments on legislation during our standing meetings and throughout the month as needed. RPPG continues to work hand in

hand with City staff to gather client-specific information while actively engaging with lawmakers and agency officials on legislation of interest to the City.

RPPG sent the City an analysis of [AB 309](#) (Lee) on August 7. The measure is currently on the Senate Floor.

RPPG sent the City a memo on the [Government Transparency Act](#) on August 10. The Act is a proposed, but not yet qualified, ballot measure that would make sweeping changes to the California Public Records Act that would apply to both state and local agencies.

RPPG sent the City an analysis of [ACA 1](#) on August 15. The measure is currently on the Assembly Floor.

RPPG sent the City a summary of the suspense file hearing on September 1 with results that took place that day.

Update on Positioned Legislation

RPPG is closely monitoring and providing updates on the following bills on which the City has adopted a position.

- [AB 309 \(Lee\) The Social Housing Act](#)
 - City Position: Oppose Unless Amended
 - Status: Senate Floor
- [AB 584 \(Hart\) California Coastal Act of 1976: coastal development: emergency waiver](#)
 - City Position: Support
 - Status: Chaptered
- [AB 1484 \(Zbur\) Temporary public employees](#)
 - City Position: Oppose
 - Status: Senate Floor
- [AB 1637 \(Irwin\) Local government: internet websites and email addresses](#)
 - City Position: Oppose
 - Status: Senate Floor
- [AB 1708 \(Muratsuchi\) Theft](#)
 - City Position: Support
 - Status: Two-year bill
- [ACA 10 \(Haney\) Fundamental human right to housing](#)
 - City Position: Pending oppose
 - Status: Assembly Appropriations
- [SB 4 \(Wiener\) Planning and zoning: housing development: higher education institutions and religious institutions](#)
 - City Position: Oppose
 - Status: Assembly Floor
- [SB 244 \(Eggman\) Right to Repair Act](#)
 - City Position: Pending Support
 - Status: Assembly Floor
- [SB 363 \(Eggman\) Facilities for inpatient and residential mental health and substance use disorder: database](#)

- City Position: Support
- Status: Held in committee
- [SB 423 \(Wiener\) Land use: streamlined housing approvals: multifamily housing developments](#)
 - City Position: Oppose
 - Status: Assembly Floor

Priority Bills

RPPG has tagged 88 bills for the City as “priority,” which may be of potential interest, or may impact operations or priority issues, per the legislative platform. We will continue to bring bills of potential interest to staff for the City’s review in the coming weeks.

END OF SESSION BUDGET PACKAGE

Each year at the end of the legislative session in recent years, the Legislature considers a slate of 10-20 budget bills – called Budget Trailer Bills – which are primarily designed to make relatively minor changes to implement or technical clean up to the budget package. Each of these bills will generally contain changes related to a single budget area and are accompanied by a “Budget Bill Jr” which contains amendments to this year’s Budget Act. These bills were heard in their respective budget committees on August 30 and are now on the Floor. Of potential interest, they include [SB 104](#) (Budget Bill Jr.), [SB 135](#) (Public Safety Trailer Bill), [SB 140](#) (Early Childcare and Education Trailer Bill), [SB 143](#) (“General Government” Trailer Bill), among others.

INFORMATIONAL HEARINGS ON THE GOVERNOR’S MENTAL HEALTH PACKAGE

During the month of August, the Legislature held two informational hearings on Governor Newsom’s [mental health package](#), which includes [SB 326](#) (Eggman) and [AB 531](#) (Irwin).

- SB 326 will rename the Mental Health Services Act to the Behavioral Health Services Act, expand its scope to include the treatment of substance use disorders, and revise the distribution of its funds.
 - SB 326 was heard in Assembly Appropriations; it passed of the suspense file and was amended to create a revenue stability workgroup. This measure is now on the Assembly Floor awaiting vote.
- AB 531 would, if approved by the voters, authorize the issuance of bonds in the amount of \$4.68 billion to be used to finance grants for community-based treatment, care, and housing for people experiencing homelessness, at risk of homelessness, or living with a behavioral health challenge.
 - AB 531 was heard in Senate Appropriations, it passed off the suspense file on a party line vote. This measure is now on the Senate Floor awaiting vote.

During the Senate’s informational hearing on August 16, members of the Senate Health Committee heard testimony from more than 10 witnesses over more than three hours. Primary witnesses included Mark Ghaly, Secretary of the Health and Human Services Agency, analysts from the Legislative Analyst’s Office (LAO), which is the Legislature’s in-house research and analysis division, and several other public and private mental health stakeholders from a diverse set of backgrounds from throughout the state. The agenda for the hearing can be found [here](#) and a detailed background paper for the hearing can be found [here](#).

During the Assembly’s informational hearing on August 22, members of the Assembly Health Committee and the Assembly Housing and Community Development Committee heard testimony from more than 20 witnesses over more than four hours. There was some witness overlap in this hearing with the Senate informational hearing, with Secretary Ghaly, the LAO, and some of the same public and private behavioral health stakeholders again giving primary testimony, along with several new panelists. The agenda for this hearing can be found [here](#) and a detailed background paper for the hearing can be found [here](#).

ADMINISTRATION ACTIONS

State Resolution on “Right to Safety”

Governor Newsom [announced](#) on August 14 that he is proposing an amendment to the United States Constitution to “raise the minimum age to buy a gun from 18 to 21, mandate universal background checks, institute a waiting period for all gun purchases, and ban assault rifles for civilians”. The amendment was introduced as [SJR 7](#) (Wahab) and has several dozen coauthors. The measure is currently on the Senate Floor awaiting vote.

LOOKING FORWARD

September 8 is the deadline to amend bills on the Floor, meaning that if a bill is to be amended after that date, the Legislature must hold an “off the floor” policy committee to do so. Hearings of this type are typically announced with little warning. This is significant, as this is the time of year when “gut and amends” take place, which is when a measure is completely “gutted” of its content and is then “amended” with new, generally entirely, unvetted language. Gut and amend bills can move very quickly through the legislative process during the final stretch. There is also the 72-hour rule to be aware of, which requires a bill’s final language to be publicly available for at least 72 hours before it can be taken up for a final vote on the Floor.

This is also the time of year when bills on the inactive file will often get a last-minute push. The inactive file contains legislation that is ready for Floor consideration but is dormant. An author may move a bill to the inactive file if he or she wishes to take it up at a later date, generally while working on consensus to obtain the necessary votes. Once a bill is on the inactive file, a one-day public notice is needed to place it back on the agenda for consideration. These are generally legislative items that had previously lacked the necessary votes to advance and are heavily contested when making a final play to reach the Governor’s desk by the September 14 deadline.

- **SEPTEMBER 14:** Final date for the Legislature to pass bills to advance to the Governor.
- **OCTOBER 14:** Final date that all bills in this first year of session must be signed or vetoed.
- **JANUARY 1:** All measures signed into law in 2023, unless otherwise excepted, go into effect.
- **JANUARY 3:** The 2024 legislative year begins.