

**ASSEMBLY COMMITTEE ON
HOUSING AND COMMUNITY DEVELOPMENT**

2017

LEGISLATIVE SUMMARY



Committee Members:

David Chiu, Chair
Marc Steinorth, Vice Chair
Raul Bocanegra
Ed Chau
Steven Choi
Ash Kalra
Monique Limón

Consultants:

Lisa Engel
Rebecca Rabovsky

Secretary:

Despina Demas

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1020 N STREET, SUITE 162
SACRAMENTO, CA 95814
(916) 319-2085
Fax (916) 319-3182
<http://ahcd.assembly.ca.gov>

Table of Contents

Building Standards	1
AB-352 (Santiago) - State Housing Law: efficiency units	1
AB-565 (Bloom) - Building standards: alternative building regulations: artists' housing.....	1
AB-1239 (Holden) - Building standards: electric vehicle charging infrastructure.	1
AB-1447 (Bonta) - Factory-Built Housing Law: fines.....	2
SB-71 (Wiener) - Electricity: solar energy systems	2
SB-442 (Newman) - Public health: pools: drownings.	2
Common Interest Developments	2
AB-534 (Gallagher) - Common interest developments: mechanics liens.....	2
AB-690 (Quirk-Silva) - Common interest developments: managers: conflicts of interest.	3
AB-1412 (Choi) - Common interest developments: notices: volunteer officers: liability.....	3
AB-1426 (Irwin) - Common interest developments: association governance: elections.	3
Homelessness	3
AB-74 (Chiu, Bonta, Santiago) - Housing.	3
AB-232 (Ridley-Thomas) - Department of Finance: homelessness relief.....	3
AB-346 (Daly, Brough) - Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.	4
AB-932 (Ting) - Shelter crisis: homeless shelters.....	4
AB-1406 (Gloria, Chiu) - Homeless Youth Housing Program.	4
Housing Finance	4
AB-45 (Thurmond) - California School Employee Housing Assistance Grant Program.	4
AB-53 (Steinorth) - Personal income taxes: deduction: homeownership savings accounts.	5
AB-56 (Holden) - California Infrastructure and Economic Development Bank: housing.....	5
AB-59 (Thurmond) - Local Housing Trust Fund Matching Grant Program.	6
AB-71 (Chiu, Bonta, Kalra) - Income taxes: credits: low-income housing.	6
AB-166 (Salas) - Building Homes and Jobs Act: recording fee: hardship refund.	6
AB-571 (Eduardo Garcia) - Farmworker housing: income taxes: insurance tax: credits: low-income housing: migrant farm labor centers.....	6
AB-863 (Cervantes, Quirk-Silva) - Affordable Housing and Sustainable Communities Program.....	6
AB-1182 (Low) - Housing: Teacher Housing Assistance Pilot Program.	7

AB-1598 (Mullin) - Affordable housing authorities.	7
AB-1670 (Gomez) - Income taxes: credits: qualified developer: affordable housing.....	7
ACA-11 (Caballero) - California Middle Class Affordable Housing and Homeless Shelter: funding.	8
SB-2 (Atkins) - Building Homes and Jobs Act.	8
SB-3 (Beall) - Veterans and Affordable Housing Bond Act of 2018.	8
SB-62 (Jackson) - Affordable Senior Housing Act of 2017.	8
Land Use	8
AB-30 (Caballero) - Environmental quality: judicial review: strip mall conversion housing projects.	8
AB-72 (Santiago, Chiu) - Housing.....	9
AB-494 (Bloom) - Land use: accessory dwelling units.	9
AB-663 (Bloom) - Coastal resources: low- and moderate-income housing.	9
AB-678 (Bocanegra) - Housing Accountability Act.....	9
AB-879 (Grayson) - Planning and zoning: housing element.	9
AB-915 (Ting) - Planning and zoning: density bonus: affordable housing ordinances: City and County of San Francisco.	9
AB-1086 (Daly) - Housing: regional housing needs.	10
AB-1203 (Gloria) - Housing: discrimination.	10
AB-1350 (Friedman) - Land use: housing element: regional housing need: noncompliant cities and counties: penalty.	10
AB-1397 (Low) - Local planning: housing element: inventory of land for residential development. ...	10
AB-1505 (Bloom, Chiu, Gloria) - Land use: zoning regulations.....	10
AB-1515 (Daly) - Planning and zoning: housing.....	11
AB-1521 (Bloom, Chiu) - Land use: notice of proposed change: assisted housing developments.	11
AB-1585 (Bloom) - Planning and zoning: affordable housing: single application.	11
AB-1686 (Gloria) – Local Government: housing elements.	11
AB-1637 (Gloria) - City of San Diego: County of Santa Clara: housing authority: middle-income housing projects.	11
SB-35 (Wiener) - Planning and zoning: affordable housing: streamlined approval process.	12
SB-166 (Skinner) - Residential density and affordability.	12
SB-167 (Skinner) - Housing Accountability Act.	12
SB-229 (Wieckowski) - Accessory dwelling units.....	12
SB-277 (Bradford) - Land use: zoning regulations.	12

Miscellaneous	13
AB-10 (Cristina Garcia) - Feminine hygiene products: school and college bathrooms and shelters.....	13
AB-62 (Wood) - Public housing: smoke-free policy.	13
AB-317 (Aguiar-Curry) - Napa County: farmworker housing.	13
AB-354 (Calderon) - Institutional investors: housing.....	13
AB-423 (Bonta) - Residential real property: rent control: withdrawal of accommodations.	13
AB-686 (Santiago) - Housing discrimination: affirmatively further fair housing.	13
AB-982 (Bloom, Chiu) - Residential real property: rent control: withdrawal of accommodations.	14
AB-1088 (Eggman) - Multifamily residential housing: energy programs.	14
AB-1137 (Maienschein) - Housing developments: pet permissibility.	14
AB-1506 (Bloom, Bonta, Chiu) - Residential rent control: Costa-Hawkins Rental Housing Act.	14
AB-1714 (Committee on Housing and Community Development) - Income taxes: credits: low-income housing: farmworker housing: building standards: housing and home finance.	14
AJR-4 (Cervantes, Quirk-Silva) - Home Ownership.	14
SB-275 (Portantino) - Surplus residential property: State Route 710: property taxes: assessments. ...	15
Mobilehomes/Manufactured Housing	15
AB-294 (Gipson) - Mobilehome parks: disclosure.	15
AB-1269 (Mark Stone) - Mobilehome Residents and Senior Protection Act.....	15
SB-46 (Leyva) - Mobilehomes: enforcement actions: sunset provision.	16
SB-136 (Leyva) - Mobilehome parks: mobilehome park program funding.	16
SB-147 (Dodd) - Mobilehome parks: residency.....	16
SB-329 (Leyva) - Manufactured homes: financial assistance programs.	16
SB-542 (Leyva) - Manufactured Housing Act of 1980: notice of transfer and release of liability.	17

Building Standards

AB-352 (Santiago) - State Housing Law: efficiency units.

This bill prohibits a city, county, or city and county that adopts an ordinance permitting efficiency units from placing specified limitations on the units.

Status: Chapter 400, Statutes of 2017

AB-565 (Bloom) - Building standards: alternative building regulations: artists' housing.

This bill requires a city or county to adopt alternative building standards for the conversion of commercial or industrial buildings to living and work quarters.

Status: Pending in Senate Committee on Transportation and Housing

AB-1239 (Holden) - Building standards: electric vehicle charging infrastructure.

This bill would have required the Department of Housing and Community Development and the California Building Standards Commission to research, develop, and propose building standards for electric vehicle capable parking spaces

Status: Vetoed on October 12, 2017

Governor's Veto Message:

I am returning Assembly Bill 1239 without my signature.

This bill requires the state to develop building standards for electric vehicle parking spaces for existing nonresidential buildings and multifamily dwellings.

In 2013, I signed AB 1092 which required the California Building Standards Commission to adopt mandatory standards for the installation of electric vehicle charging stations for parking spaces in new multifamily dwellings and nonresidential buildings. Furthermore, the California Public Utilities Commission is currently working on a comprehensive plan that will determine where investor-owned utilities can install charging stations around the state.

Increasing transportation electrification will require additional coordination and collaboration from the California Energy Commission, the California Public Utilities Commission and the various departments within the Administration. I am directing

the Government Operations Agency to work with all the key parties to identify barriers to the construction of charging stations in existing buildings.

Sincerely,

Edmund G. Brown Jr

AB-1447 (Bonta) - Factory-Built Housing Law: fines.

This bill increases the maximum fine for a violation of the State Building Standards Code relating to factory-built housing from 1,000 dollars to 10,000 dollars.

Status: Pending in Assembly Committee on Housing and Community Development

SB-71 (Wiener) - Electricity: solar energy systems.

This bill requires the California Energy Commission to consider requiring installation of a solar energy generation system on all new buildings.

Status: Pending in Assembly Committee on Utilities and Energy

SB-442 (Newman) - Public health: pools: drownings.

This bill requires newly constructed or remodeled swimming pools or spas at private single-family residences to incorporate at least two of seven specified drowning prevention safety features. It also requires home inspections conducted as part of the transfer of a property with a pool or spa to include an assessment of whether the pool is equipped with adequate drowning prevention features.

Status: Chapter 670, Statutes of 2017

Common Interest Developments

AB-534 (Gallagher) - Common interest developments: mechanics liens.

This bill makes three modifications to the law so as to clarify and facilitate the operation of mechanic's liens in the context of work performed on the common areas of common interest developments.

Status: Chapter 44, Statutes of 2017

AB-690 (Quirk-Silva) - Common interest developments: managers: conflicts of interest.

This bill requires a common interest development (CID) manager or management company to disclose certain information before entering into a management agreement with a homeowner's association (HOA) and requires the HOA annual budget to contain specified information relating to charges for certain documents provided by the CID manager or management company.

Status: Chapter 127, Statutes of 2017

AB-1412 (Choi) - Common interest developments: notices: volunteer officers: liability.

This bill authorizes a homeowners associations to use the last address provided in writing by the owner of a separate interest in a common interest development when the owner fails to provide notice of change of address and limits the liability of a volunteer officer or director who does not own more than two residential separate interests in a development that is mixed use.

Status: Chapter 278, Statutes of 2017

AB-1426 (Irwin) - Common interest developments: association governance: elections.

This bill makes changes to provisions regarding elections of directors to common interest developments.

Status: Pending in Assembly Committee on Housing and Community Development

Homelessness

AB-74 (Chiu, Bonta, Santiago) - Housing.

This bill creates the Housing for a Healthy California Program to provide rental assistance to individuals who are homeless and receive services from the Whole Person Care pilot program, Health Homes, or another locally controlled funding source.

Status: Chapter 777, Statutes of 2017

AB-232 (Ridley-Thomas) - Department of Finance: homelessness relief.

This bill establishes the Homeless Relief Act of 2017 and appropriates \$500 million from the General Fund to the Department of Finance for the purpose of relieving homelessness in the state, to be allocated proportional to need to local continuums of care based on a

formula developed by the Department of Housing and Community Development that considers the ability of continuums of care to leverage funding.

Status: Held under submission in Assembly Committee on Appropriations

AB-346 (Daly, Brough) - Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.

This bill allows a housing successor to expend funds in the Low and Moderate Income Housing Asset Fund (LMIHF) for contributions toward the construction of local or regional homeless shelters. It also allows two or more housing successors within a county, as specified, to additionally enter into an agreement to transfer funds among their respective LMIHF for a regional homeless shelter, if specified conditions are met.

Status: Chapter 35, Statutes of 2017

AB-932 (Ting) - Shelter crisis: homeless shelters.

This bill authorizes emergency housing, upon the declaration of a shelter crisis by the City of Berkeley, Emeryville, Los Angeles, Oakland, or San Diego, the County of Santa Clara, or the City and County of San Francisco, to include homeless shelters until January 1, 2021.

Status: Chapter 786, Statutes of 2017

AB-1406 (Gloria, Chiu) - Homeless Youth Housing Program.

This bill establishes the Homeless Youth Housing Program. It awards grants to programs designed help homeless youth transition into sustainable housing.

Status: Pending in Senate Committee on Transportation and Housing

Housing Finance

AB-45 (Thurmond) - California School Employee Housing Assistance Grant Program.

This bill would have required the Department of Housing and Community Development to administer the California School Employee Housing Assistance Program, a predevelopment grant and loan program, to fund the creation of affordable housing for school district employees, including teachers.

Status: Vetoed on October 15, 2017

Governor's veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 45 without my signature.

This bill establishes a new program under the Department of Housing and Community Development for the purpose of providing predevelopment grants and loans to developers for the creation of affordable rental housing for school district employees.

I recently signed Senate Bill 2 into law which provides an ongoing funding source for housing. In the first year, SB 2 directs fifty percent of the funding to be made available to local governments for planning purposes. In subsequent years, seventy percent of the funding is directly allocated to local governments so they can address their own unique housing needs and fifteen percent of the funding will be targeted towards workforce housing through the California Housing Financing Authority.

Rather than creating a new program at this time, I encourage the author to work with the local governments in his district and collaborate with the California Housing Financing Authority to maximize the funding in SB 2.

Sincerely,

Edmund G. Brown Jr

AB-53 (Steinorth) - Personal income taxes: deduction: homeownership savings accounts.

This bill would create a homeownership savings account (HSA) and allow a deduction for contributions made by qualified individuals to the HSA.

Status: Held under submission in Assembly Committee on Appropriations

AB-56 (Holden) - California Infrastructure and Economic Development Bank: housing.

This bill clarifies the definition of housing-related infrastructure for the purposes of programs administered through the California Infrastructure and Economic Development Bank including projects funded through the Infrastructure State Revolving Fund.

Status: Chapter 289, Statutes of 2017

AB-59 (Thurmond) - Local Housing Trust Fund Matching Grant Program.

This bill would make various technical and conforming changes to the Local Housing Trust Fund Matching Grant Program. The bill would also make findings and declarations with regard to all of its provisions.

Status: Pending in Assembly Committee on Housing and Community Development

AB-71 (Chiu, Bonta, Kalra) - Income taxes: credits: low-income housing.

Eliminates the mortgage interest deduction on second homes, increases the state Low-Income Housing Tax Credit (LIHTC) Program by \$300 million, and makes changes to the LIHTC.

Status: Pending on the Assembly Floor

AB-166 (Salas) - Building Homes and Jobs Act: recording fee: hardship refund.

This bill would authorize specified low- and very low-income property owners to claim a hardship refund of fees paid in connection with a property refinancing transaction, pursuant to SB 2 (Atkins) of the current legislative session, as specified.

Status: Pending on the Assembly Floor

AB-571 (Eduardo Garcia) - Farmworker housing: income taxes: insurance tax: credits: low-income housing: migrant farm labor centers.

This bill makes changes to the farmworker housing tax credit set-aside within the Low Income Housing Tax Credit Program and makes changes to the Department of Housing and Community Development's Office of Migrant Services.

Status: Chapter 372, Statutes of 2017

AB-863 (Cervantes, Quirk-Silva) - Affordable Housing and Sustainable Communities Program.

This bill would have made changes to the requirements of the Affordable Housing and Sustainable Communities Program (AHSC).

Status: Vetoed on October 14, 2017

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 863 without my signature.

This bill encourages projects that receive funding from the Affordable Housing and Sustainable Communities Program to employ local entrepreneurs and workers from training programs.

The Affordable Housing and Sustainable Communities Program, funded by the Cap and Trade Program, already focuses on improving the economic conditions within disadvantaged communities. In fact, the Strategic Growth Council recently updated the program's guidelines to prioritize projects that focus on local entrepreneurs and workforce training programs.

I believe any additional refinements would be best addressed through the Strategic Growth Council's process.

Sincerely,

Edmund G. Brown Jr.

AB-1182 (Low) - Housing: Teacher Housing Assistance Pilot Program.

This bill establishes, until January 1, 2023, the Teacher Housing Assistance Pilot Program to be administered by the California Housing Finance Agency subject to an appropriation for this purpose by the Legislature.

Status: Held under submission in Assembly Committee on Appropriations

AB-1598 (Mullin) - Affordable housing authorities.

This bill allows a city or county to create an affordable housing authority to fund affordable housing, similar to a Community Revitalization and Investment Authority.

Status: Chapter 764, Statutes of 2017

AB-1670 (Gomez) - Income taxes: credits: qualified developer: affordable housing.

This bill allows a tax credit for a qualified taxpayer, from January 1, 2017 to January 1, 2022, against the "net tax" of an amount equal to 50% of the amount paid or incurred by a taxpayer to a qualified developer for the development of a qualified project, not to exceed \$250,000.

Status: Pending in Assembly Committee on Revenue and Taxation

ACA-11 (Caballero) - California Middle Class Affordable Housing and Homeless Shelter: funding.

This measure would create the California Middle Class Affordable Housing and Homeless Shelter Account in the General Fund for the support of local and state programs that assist in the development or acquisition of housing, as specified.

Status: Pending in Assembly Committee on Housing and Community Development

SB-2 (Atkins) - Building Homes and Jobs Act.

This bill establishes the Building Homes and Jobs Act and imposes a \$75 fee on real estate transaction documents, excluding residential real estate sales, to provide funding for affordable housing.

Status: Chapter 364, Statutes of 2017

SB-3 (Beall) - Veterans and Affordable Housing Bond Act of 2018.

This bill enacts the Veterans and Affordable Housing Bond Act of 2018 and authorizes the issuance of \$4 billion in general obligation bonds for affordable housing programs and a veteran's home ownership program, subject to approval by the voters in the November 6, 2018 election.

Status: Chapter 365, Statutes of 2017

SB-62 (Jackson) - Affordable Senior Housing Act of 2017.

This bill creates the Affordable Senior Housing Program within the California Housing and Community Development Department.

Status: Held under submission in Assembly Committee on Appropriations

Land Use

AB-30 (Caballero) - Environmental quality: judicial review: strip mall conversion housing projects.

This bill would prohibit a court, in granting relief in an action or proceeding challenging a "qualified strip mall housing conversion project" under the California Environmental Quality Act, from staying or enjoining the construction or operation of the project.

Status: Pending in Assembly Committee on Natural Resources

AB-72 (Santiago, Chiu) - Housing.

This bill gives the Department of Housing and Community Development (HCD) authority to find a local government's housing element out of substantial compliance if it determines that the local government acts or fails to act in compliance with its housing element, and allows HCD to refer violations of law to the Attorney General.

Status: Chapter 370, Statutes of 2017

AB-494 (Bloom) - Land use: accessory dwelling units.

This bill makes a number of changes to the Accessory Dwelling Unit (ADU) review process and standards and incorporates chaptering amendments with SB 229 (Wieckowski) of the current legislative session.

Status: Chapter 602, Statutes of 2017

AB-663 (Bloom) - Coastal resources: low- and moderate-income housing.

This bill requires until January 1, 2023, housing opportunities for persons of low and moderate income to be protected, encouraged, and, where feasible, provided under the California Coastal Act of 1976.

Status: Failed passage on the Assembly Floor

AB-678 (Bocanegra) - Housing Accountability Act.

This bill makes a number of changes to the Housing Accountability Act (HAA) to ensure local agency compliance during the approval process for proposed housing developments. The measure also clarifies existing provisions of the HAA and imposes added penalties on agencies that violate the HAA without proper findings.

Status: Chapter 373, Statutes of 2017

AB-879 (Grayson) - Planning and zoning: housing element.

This bill makes a number of changes to housing element law, and directs the Department of Housing and Community Development to complete a study evaluating the reasonableness of local fees charged to new developments, as defined.

Status: Chapter 374, Statutes of 2017

AB-915 (Ting) - Planning and zoning: density bonus: affordable housing ordinances: City and County of San Francisco.

This bill would authorize San Francisco to apply its inclusionary housing ordinance to the total number of housing units in a proposed development, including any additional units

granted under the Density Bonus Law, but only after the Department of Housing and Community Development has determined that the ordinance is broadly feasible for density bonus projects, as specified.

Status: Held under submission in Senate Committee on Appropriations

AB-1086 (Daly) - Housing: regional housing needs.

This bill makes changes to the process for determining the population projections for the Regional Housing Needs Assessment allocation. If the regional population forecast developed by the council of governments (COG) is within a range of 1.5% of the total regional population forecast projected by the Department of Finance then Department of Housing and Community Development (HCD) shall use the COG's projection. It also adds the trends in overcrowding to the data assumptions that a COG shall provide to HCD.

Status: Chapter 206, Statutes of 2017

AB-1203 (Gloria) - Housing: discrimination.

This bill would extend existing provisions under the Planning and Zoning Law prohibiting local governments from discriminating against a residential development or emergency shelter to include transitional housing.

Status: Pending in the Assembly Committee on Housing and Community Development

AB-1350 (Friedman) - Land use: housing element: regional housing need: noncompliant cities and counties: penalty.

This bill places a financial penalty on noncompliant cities and counties who do not meet specified regional housing needs assessment (RHNA) obligations, and creates a program to fund grants to compliant cities and counties with those penalties.

Status: Pending in Assembly Committee on Local Government

AB-1397 (Low) - Local planning: housing element: inventory of land for residential development.

This bill makes a number of changes to housing element law by revising what may be included in a locality's inventory of land suitable for residential development.

Status: Chapter 375, Statutes of 2017

AB-1505 (Bloom, Chiu, Gloria) - Land use: zoning regulations.

This bill authorizes the legislative body of a city or county to establish inclusionary housing requirements as a condition of the development of residential rental units

Status: Chapter 376, Statutes of 2017

AB-1515 (Daly) - Planning and zoning: housing.

This bill establishes, for purposes of the Housing Accountability Act a reasonable person standard for deeming consistency, as specified, for a housing development project or emergency shelter.

Status: Chapter 378, Statutes of 2017

AB-1521 (Bloom, Chiu) - Land use: notice of proposed change: assisted housing developments.

This bill strengthens the law regarding the preservation of assisted housing developments by requiring an owner of an assisted housing development to accept a bona fide offer to purchase from a qualified purchaser, if specified requirements are met, and by giving the Department of Housing and Community Development (HCD) additional enforcement authority.

Status: Chapter 377, Statutes of 2017

AB-1585 (Bloom) - Planning and zoning: affordable housing: single application.

This bill establishes a single application process for housing developments that include affordable housing units and creates a state appeals body if those developments are denied.

Status: Pending in Assembly Committee on Local Government

AB-1686 (Gloria) - Local Government: housing elements.

This bill would have authorized the Department of Housing and Community Development to extend the period for the determination of each region's housing needs by no more than 75 days.

Status: Amended on March 30, 2017 out of the committee's jurisdiction

AB-1637 (Gloria) - City of San Diego: County of Santa Clara: housing authority: middle-income housing projects.

This bill allows a housing authority in the City of San Diego or County of Santa Clara to implement a pilot program to develop and finance middle-income housing developments.

Status: Chapter 801, Statutes of 2017

SB-35 (Wiener) - Planning and zoning: affordable housing: streamlined approval process.

This bill requires in jurisdictions that have not met their Regional Housing Needs Assessment to allow for a ministerial, streamlined process for housing approvals. Includes prohibition on using streamlining on properties that would remove existing rent controlled and deed restricted properties.

Status: Chapter 366, Statutes of 2017

SB-166 (Skinner) - Residential density and affordability.

This bill requires a local government to accommodate its Regional Housing Needs Assessment at all times throughout the housing element planning period.

Status: Chapter 367, Statutes of 2017

SB-167 (Skinner) - Housing Accountability Act.

This bill makes a number of changes to the Housing Accountability Act (HAA) to ensure local agency compliance during the approval process for proposed housing developments. The measure also clarifies existing provisions of the HAA and imposes added penalties on agencies that violate the HAA without proper findings.

Status: Chapter 368, Statutes of 2017

SB-229 (Wieckowski) - Accessory dwelling units.

This bill makes a number of changes to ADU law, including clarifying specified standards, location, and density as applied to ADUs on lots that include a proposed or existing single-family dwelling. It also clarifies that the existing law for utility connection fees and capacity charges a local agency may impose for an ADU also applies to special districts and water corporations.

Status: Chapter 594, Statutes of 2017

SB-277 (Bradford) - Land use: zoning regulations.

This bill authorizes local governments to establish inclusionary housing requirements as a condition of development of residential rental units.

Status: Pending on the Assembly Floor

Miscellaneous

AB-10 (Cristina Garcia) - Feminine hygiene products: school and college bathrooms and shelters.

As heard in this committee this bill would have required emergency shelters and domestic violence shelters to ensure adequate and timely access to free menstrual products to all menstruating persons who receive services from the shelter.

Status: Amended on May 10, 2017 out of the committee's jurisdiction

AB-62 (Wood) - Public housing: smoke-free policy.

This bill would require public housing agencies to prohibit smoking tobacco products in all public housing units, interior areas, and outdoor areas within 25 feet of public housing and administrative buildings.

Status: Pending in Senate Committee on Transportation and Housing

AB-317 (Aguiar-Curry) - Napa County: farmworker housing.

This bill establishes the Napa County Farmworker Centers Account within the Department of Housing and Community Development.

Status: Chapter 489, Statutes of 2017

AB-354 (Calderon) - Institutional investors: housing.

This bill requires institutional investors, as defined, to register with the Department of Business Oversight by providing a statement containing specified information.

Status: Failed Passage in Senate Committee on Insurance, Banking and Financial Institutions

AB-423 (Bonta) - Residential real property: rent control: withdrawal of accommodations.

This bill would exempt residential hotels in the City of Oakland from the Ellis Act beginning January 1, 2018.

Status: Pending on the Assembly Floor Inactive File

AB-686 (Santiago) - Housing discrimination: affirmatively further fair housing.

This bill would require a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing.

Status: Pending in Senate Committee on Transportation and Housing

AB-982 (Bloom, Chiu) - Residential real property: rent control: withdrawal of accommodations.

This bill would extend the term for withdrawal of accommodations under the Ellis Act to one year for all tenants and lessees without regard to age or disability.

Status: Pending in Assembly Committee on Housing and Community Development

AB-1088 (Eggman) - Multifamily residential housing: energy programs.

This bill seeks to increase access to various existing distributed energy resource and water programs, to the benefit of multifamily residential properties and their residents, especially low-income residents of such properties.

Status: This bill was amended on April 17, 2017 out of the committee's jurisdiction

AB-1137 (Maienschein) - Housing developments: pet permissibility.

This bill, the Pet Friendly Housing Act of 2017, requires housing developments financed through the Department of Housing and Community Development to authorize a resident of a housing development to own one or more common household pets.

Status: Chapter 791, Statutes of 2017

AB-1506 (Bloom, Bonta, Chiu) - Residential rent control: Costa-Hawkins Rental Housing Act.

This bill would repeal the Costa-Hawkins Rental Housing Act.

Status: Pending in Assembly Committee on Housing and Community Development

AB-1714 (Committee on Housing and Community Development) - Income taxes: credits: low-income housing: farmworker housing: building standards: housing and home finance.

This bill makes technical and non-controversial changes to various sections of the law dealing with housing.

Status: Chapter 418, Statutes of 2017

AJR-4 (Cervantes, Quirk-Silva) - Home Ownership.

This Resolution calls upon the President of the United States to reinstate the mortgage fee reduction promulgated by the Department of Housing and Urban Development under the Obama Administration.

Status: Chapter 172, Statutes of 2017

SB-275 (Portantino) - Surplus residential property: State Route 710: property taxes: assessments.

This bill requires any property purchased at an affordable price in the State Route (SR) 710 corridor to be assessed at its affordable price for property tax purposes, and any property purchased at a reasonable price in the SR 710 corridor to be assessed at a reasonable price for property tax purposes.

Status: Pending in Assembly Committee on Housing and Community Development

Mobilehomes/Manufactured Housing

AB-294 (Gipson) - Mobilehome parks: disclosure.

This bill requires the management of a mobilehome park to disclose the name, business address, and business telephone number of the mobilehome park owner within 10 business days of a written request by a homeowner.

Status: Chapter 31, Statutes of 2017

AB-1269 (Mark Stone) - Mobilehome Residents and Senior Protection Act.

This bill would have established the Mobilehome Residents and Senior Protection Act a dispute resolution and enforcement program within the Department of Fair Employment and Housing to resolve disputes related to the Mobilehome Residency Law, until January 1, 2023.

Status: Vetoed on October 14, 2017

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1269 without my signature.

Beginning July 1, 2020, this bill would require the Department of Fair Employment and Housing to enforce the Mobilehome Residency Law and conduct mandatory dispute resolution between mobilehome residents and park owners.

While well-intentioned, this bill would significantly expand the operations and duties of the Department of Fair Employment and Housing without an adequate fee structure that supports the additional workload.

I believe increased education and enforcement are needed to protect mobilehome owners and residents. For this reason, I am directing the Department of Housing and Community Development to work with the author to make changes to the Mobilehome Assistance Center to address the concerns raised by the sponsors.

Sincerely,

Edmund G. Brown Jr.

SB-46 (Leyva) - Mobilehomes: enforcement actions: sunset provision.

This bill removes the sunset for a mobilehome park inspection program and related fees.

Status: Pending in Assembly Committee on Housing and Community Development

SB-136 (Leyva) - Mobilehome parks: mobilehome park program funding.

This bill permits the Department of Housing and Community Development as part of the Mobilehome Park Rehabilitation and Resident Ownership Program to contract directly with nonprofit corporations to deliver technical assistance to mobilehome park residents or community-based nonprofit corporations to assist mobilehome park residents in acquiring, financing, operating, and improving mobilehome parks occupied by low- and moderate-income households.

Status: Chapter 766, Statutes of 2017

SB-147 (Dodd) - Mobilehome parks: residency.

This bill clarifies the law governing guests, companions, and live-in caregivers in the mobilehome context and modifies those laws to conform with disability accommodation law.

Status: Chapter 767, Statutes of 2017

SB-329 (Leyva) - Manufactured homes: financial assistance programs.

This bill requires all state and local programs designed to facilitate homeownership or residence to include manufactured housing.

Status: Chapter 727, Statutes of 2017

SB-542 (Leyva) - Manufactured Housing Act of 1980: notice of transfer and release of liability.

This bill provides that the owner of a new or used mobilehome who sells or transfers ownership of the home shall not be subject to civil or criminal liability for fees or taxes after the delivery of possession of the home to the purchaser or transferee if the owner 1) properly endorses and delivers the certificate of title to the transferee and 2) delivers or mails to the Department of Housing and Community Development the completed notice of sale or transfer form.

Status: Chapter 832, Statutes of 2017

AB

AB-10 (Cristina Garcia) - Feminine hygiene products: school and college bathrooms and shelters.	13
AB-30 (Caballero) - Environmental quality: judicial review: strip mall conversion housing projects.	8
AB-45 (Thurmond) - California School Employee Housing Assistance Grant Program.	4
AB-53 (Steinorth) - Personal income taxes: deduction: homeownership savings accounts.	5
AB-56 (Holden) - California Infrastructure and Economic Development Bank: housing.	5
AB-59 (Thurmond) - Local Housing Trust Fund Matching Grant Program.	6
AB-62 (Wood) - Public housing: smoke-free policy.	13
AB-71 (Chiu, Bonta, Kalra) - Income taxes: credits: low-income housing.	6
AB-72 (Santiago, Chiu) - Housing.	9
AB-74 (Chiu, Bonta, Santiago) - Housing.	3
AB-166 (Salas) - Building Homes and Jobs Act: recording fee: hardship refund.	6
AB-232 (Ridley-Thomas) - Department of Finance: homelessness relief.	3
AB-294 (Gipson) - Mobilehome parks: disclosure.	15
AB-317 (Aguiar-Curry) - Napa County: farmworker housing.	13
AB-346 (Daly, Brough) - Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.	4
AB-352 (Santiago) - State Housing Law: efficiency units.	1
AB-354 (Calderon) - Institutional investors: housing.	13
AB-423 (Bonta) - Residential real property: rent control: withdrawal of accommodations.	13
AB-494 (Bloom) - Land use: accessory dwelling units.	9
AB-534 (Gallagher) - Common interest developments: mechanics liens.	2
AB-565 (Bloom) - Building standards: alternative building regulations: artists' housing.	1
AB-571 (Eduardo Garcia) - Farmworker housing: income taxes: insurance tax: credits: low-income housing: migrant farm labor centers.	6
AB-663 (Bloom) - Coastal resources: low- and moderate-income housing.	9
AB-678 (Bocanegra) - Housing Accountability Act.	9
AB-686 (Santiago) - Housing discrimination: affirmatively further fair housing.	13
AB-690 (Quirk-Silva) - Common interest developments: managers: conflicts of interest.	3
AB-863 (Cervantes, Quirk-Silva) - Affordable Housing and Sustainable Communities Program.	6
AB-879 (Grayson) - Planning and zoning: housing element.	9
AB-915 (Ting) - Planning and zoning: density bonus: affordable housing ordinances: City and County of San Francisco.	9
AB-932 (Ting) - Shelter crisis: homeless shelters.	4
AB-982 (Bloom, Chiu) - Residential real property: rent control: withdrawal of accommodations.	14
AB-1086 (Daly) - Housing: regional housing needs.	10
AB-1088 (Eggman) - Multifamily residential housing: energy programs.	14
AB-1137 (Maienschein) - Housing developments: pet permissibility.	14
AB-1182 (Low) - Housing: Teacher Housing Assistance Pilot Program.	7
AB-1203 (Gloria) - Housing: discrimination.	10
AB-1239 (Holden) - Building standards: electric vehicle charging infrastructure.	1
AB-1269 (Mark Stone) - Mobilehome Residents and Senior Protection Act.	15
AB-1350 (Friedman) - Land use: housing element: regional housing need: noncompliant cities and counties: penalty.	10
AB-1397 (Low) - Local planning: housing element: inventory of land for residential development.	10
AB-1406 (Gloria, Chiu) - Homeless Youth Housing Program.	4
AB-1412 (Choi) - Common interest developments: notices: volunteer officers: liability.	3
AB-1426 (Irwin) - Common interest developments: association governance: elections.	3
AB-1447 (Bonta) - Factory-Built Housing Law: fines.	2
AB-1505 (Bloom, Chiu, Gloria) - Land use: zoning regulations.	10

AB-1506 (Bloom, Bonta, Chiu) - Residential rent control: Costa-Hawkins Rental Housing Act.	14
AB-1515 (Daly) - Planning and zoning: housing.	11
AB-1521 (Bloom, Chiu) - Land use: notice of proposed change: assisted housing developments.	11
AB-1585 (Bloom) - Planning and zoning: affordable housing: single application.	11
AB-1598 (Mullin) - Affordable housing authorities.	7
AB-1637 (Gloria) - City of San Diego: County of Santa Clara: housing authority: middle-income housing projects.	11
AB-1670 (Gomez) - Income taxes: credits: qualified developer: affordable housing.	7
AB-1686 (Gloria) - Local Government: housing elements.	11
AB-1714 (Committee on Housing and Community Development) - Income taxes: credits: low-income housing: farmworker housing: building standards: housing and home finance.	14
ACA-11 (Caballero) - California Middle Class Affordable Housing and Homeless Shelter: funding.	8
AJR-4 (Cervantes, Quirk-Silva) - Home Ownership.	14

SB

SB-2 (Atkins) - Building Homes and Jobs Act.	8
SB-3 (Beall) - Veterans and Affordable Housing Bond Act of 2018.	8
SB-35 (Wiener) - Planning and zoning: affordable housing: streamlined approval process.	12
SB-46 (Leyva) - Mobilehomes: enforcement actions: sunset provision.	16
SB-62 (Jackson) - Affordable Senior Housing Act of 2017.	8
SB-71 (Wiener) - Electricity: solar energy systems.	2
SB-136 (Leyva) - Mobilehome parks: mobilehome park program funding.	16
SB-147 (Dodd) - Mobilehome parks: residency.	16
SB-166 (Skinner) - Residential density and affordability.	12
SB-167 (Skinner) - Housing Accountability Act.	12
SB-229 (Wieckowski) - Accessory dwelling units.	12
SB-277 (Bradford) - Land use: zoning regulations.	12
SB-275 (Portantino) - Surplus residential property: State Route 710: property taxes: assessments.	15
SB-329 (Leyva) - Manufactured homes: financial assistance programs.	16
SB-442 (Newman) - Public health: pools: drownings.	2
SB-542 (Leyva) - Manufactured Housing Act of 1980: notice of transfer and release of liability.	17