

# CALIFORNIA LEGISLATIVE SUMMARY

## October 2021



In 2021, the California State Legislature introduced over 2,700 legislative measures. The commercial real estate industry tracked 571 of these bills.

Of the 1,204 bills that reached the Governor's Desk he signed 1,038 and our industry was engaged on a total of 145 of these bills; below is a summary of the more notable bills that made it to the Governor's desk and some that were stalled out in the process but may come back.

### SIGNED BY THE GOVERNOR

[AB 332](#) (ES&TM) Hazardous waste: treated wood waste: management standards.

**Position:** SUPPORT

**Summary:** Stops tenant improvements from becoming more difficult and expensive by providing an option to dispose of treated wood waste if certain criteria are met, in order to avoid the unnecessary and cost prohibitive management of these materials.

[AB 480](#) (Carrillo-D) Hazardous materials.

**Position:** NEUTRAL

**Summary:** Until recent amendments this bill had the potential to shut down operations for spilling a single drop of covered materials. However, we recently removed our opposition from this bill as our amendments were taken to defining "emergency response" as a means to guide and differentiate releases relative to quantity and the need for activated emergency response personnel from outside a facility.

[AB 537](#) (Quirk-D) Communications: wireless telecommunications and broadband facilities.

**Position:** SUPPORT

**Summary:** Facilitates the installation of faster broadband networks.

[AB 701](#) (Gonzalez-D) Warehouse distribution centers.

**Position:** OPPOSE.

**Summary:** This bill eliminates jobs and increases expenses in warehouses and logistic centers by micromanaging how companies set performance standards. It will create more private right of action based on vague standards, increase PAGA litigation, and is based on fundamental misunderstandings of performance metrics.

[AB 819](#) (Levine-D) California Environmental Quality Act: electronic filing and posting.

**Position:** SUPPORT

**Summary:** Codifies existing best practices by requiring lead agencies to post and submit electronically certain California Environmental Quality Act (CEQA) notice and other environmental review.

[AB 1124](#) (Friedman-D) Solar energy systems.

**Position:** SUPPORT

**Summary:** Reduces costs for solar system permit fees that apply to systems atop carports, patio covers and parking lot shade structures, and multifamily housing projects.

[SB 1](#) (Atkins-D) Coastal resources: sea level rise.

**Position:** OPPOSE

**Summary:** Gives the California Coastal Commission authority over sea level rise which could be used to advance the “managed retreat” policy, which shutting down future coastal development including desperately needed housing in coastal areas where there is already an affordability crisis.

[SB 63](#) (Stern-D) Fire prevention: vegetation management: fire hazard severity zones.

**Position:** SUPPORT

**Summary:** Support this bill as it would require, among other things, for Cal Fire to complete maps for moderate and high fire severity zones and would require HCD and the SFM to expand application of the WUI standards to homes in high fire severity zones (already required in Very High Fire Severity Zones)

[SB 95](#) (Skinner-D) Employment: COVID-19: supplemental paid sick leave.

**Position:** OPPOSE

**Summary:** Paid sick leave mandate. This bill imposes a significant cost onto small employers, who the State has already acknowledged are suffering due to this pandemic. This paid sick leave mandate would essentially negate any financial relief small employers may receive through the proposed COVID grant programs.

[SB 433](#) (Allen-D) California Coastal Act of 1976: enforcement: penalties.

**Position:** OPPOSE

**Summary:** Impacts new construction and housing by extending the California Coastal Commission’s existing authority to impose administrative civil penalties to all violations of the Coastal Act.

[SB 606](#) (Gonzalez-D) Workplace safety: enterprise-wide and egregious violations.

**Position:** OPPOSE

**Summary:** Increases costs to businesses by creating two new categories of California Division of Occupational Safety and Health (Cal/OSHA) violations: “egregious” and “enterprise-wide.” The new categories of violations carry significant monetary penalties against employers.

[SB 727](#) (Leyva-D) Labor-related liabilities: direct contractor.

**Position:** OPPOSE

**Summary:** Potentially impacts tenant improvement and new construction costs by expanding existing direct contractor liability to include liquidated damages and penalties in circumstances where the direct contractor fails to meet payroll monitoring and corrective action requirements.

## VEETOED BY THE GOVERNOR

[AB 416](#) (Kalra-D) Deforestation-Free Procurement Act: public works projects: wood and wood products.

**Position:** OPPOSE

**Summary:** This bill would have greatly increased the cost of wood products for construction.

[SB 660](#) (Newman-D) Initiative, referendum, and recall petitions: compensation for signatures.

**Position:** OPPOSE

**Summary:** Would make it more difficult for business groups to qualify an initiative by disallowing the use of signature gathering companies.