

BOMA CALIFORNIA

2019 LEGISLATIVE ISSUES SUMMARY



In 2019 BOMA Cal tracked more than 400 bills introduced in the California State Legislature. Here is the final disposition for the most significant bills of those bills:

SIGNED INTO LAW

AB 5 (Gonzalez D) Worker status: employees and independent contractors.

Summary: Addresses the Dynamex Court case on independent contractors. Amendments exempting commercial real estate brokers and brokerage firms are in the bill. Negotiating final amendments regarding business-to-business transactions and other technical issues.

Position: SUPPORT

AB 51 (Gonzalez D) Employment discrimination: enforcement.

Summary: Prohibits arbitration agreements as a condition of employment.

Position: OPPOSE

AB 170 (Gonzalez D) Employment: harassment: liability.

Summary: Increases the amount of time employers can be sued and sets new standards for liability of sexual harassment in the workplace. Will increase litigation.

Position: OPPOSE

AB 485 (Medina D) Local government: economic development subsidies.

Summary: Requires local governments to receive comprehensive information about warehouse projects prior to releasing economic development incentives.

Position: OPPOSE

AB 547 (Gonzalez D) Janitorial workers: sexual violence and harassment prevention training.

Summary: Requires Janitorial Companies to provide specified training on sexual violence and harassment prevention.

Position: NEUTRAL

AB 729 (Chu D) Carpet recycling: carpet stewardship.

Summary: Triples the carpet recycling fee.

Position: OPPOSE

AB 857 (Chiu D) Public banks.

Summary: Allows local governments to get into lending which would destabilize banking through introducing non-fiscal requirements for loans.

Position: OPPOSE

AB 1026 (Wood D) Electricity: interconnection rules.

Summary: Extends utility connectivity permits for to 18 months following the date the application for a new extension of service project is approved.

Position: SUPPORT

AB 1100 (Kamlager-Dove D) Electric vehicles: parking requirements.

Summary: Allows EV parking space to be counted as at least one standard automobile parking space for the purpose of complying with any local minimum parking requirements.

Position: SUPPORT

AB 1188 (Gabriel D) Dwelling units: persons at risk of homelessness.

Summary: Puts requirements on residential landlords to allow tenant to allow people not on the lease to stay in dwelling.

Position: OPPOSE

AB 1478 (Carrillo D) Employment discrimination.

Summary: Creates a private cause of action against an employer for disputes regarding the right under the law to time off or reasonable accommodations to deal with issues such as jury service or related to being a victim of domestic violence, sexual assault, or stalking.

Position: OPPOSE

AB 1482 (Chiu D) Tenancy: rent caps.

Summary: Imposes a 5% plus inflation residential rent cap and codifies “just cause” eviction requirements.

Position: OPPOSE

SB 44 (Skinner D) Medium- and heavy-duty vehicles: comprehensive strategy.

Summary: Requires the Air Resources Board (ARB) to update its 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium- and heavy-duty vehicles in the state.

Position: SUPPORT

SB 142 (Wiener D) Employees: lactation accommodation.

Summary: Expands current lactation accommodation mandates for employers and requires the Building Standards Commission to design a guidance document. We negotiated significant amendments to this bill, including removing the mandatory building code provisions, however the employer requirements are onerous and expensive and increases potential for lawsuits.

Position: OPPOSE

SB 190 (Dodd D) Fire safety: building standards: defensible space program.

Summary: Requires the Office of the State Fire Marshal to develop, in consultation with our industry, a model defensible space program to reduce threat of wildfire.

Position: SUPPORT

SB 330 (Skinner D) Housing Crisis Act of 2019.

Temporarily bans cities from imposing a moratorium on new housing construction, prohibits changing zoning law to prevent denser housing like apartment buildings, and prevents cities from raising fees during the development approval process.

Position: SUPPORT

SB 451 (Atkins D) Rehabilitation of certified historic structures.

Summary: Creates a tax credit for the rehabilitation of certain certified historic structures.

Position: SUPPORT

SB 638 (Allen D) Leases: electric vehicle charging stations: insurance coverage.

Summary: Enables installation of EV chargers by removing the requirement to obtain a general liability insurance policy and instead require personal liability coverage

Position: NEUTRAL

VETOED/FAILED

AB 394 (Obernolte R) CEQA: exemption: egress route projects: fire

Summary: Allows certain roads damaged by fires to be rebuilt faster.

Position: SUPPORT

AB 520 (Kalra D) Public works: public subsidy.

Summary: Defines “public works” to include a project that receives a *de minimis* public subsidy less than \$500,000 and 2% of the total project cost.

Position: OPPOSE

AB 684 (Levine D) Building standards: electric vehicle charging infrastructure.

Summary: requires the state to propose building standards for the installation of electric vehicle (EV) charging infrastructure for parking spaces for existing multifamily and non-residential developments.

Position: NEUTRAL

AB 1066 (Gonzalez D) Unemployment insurance: trade disputes: eligibility for benefits.

Summary: Would allow striking workers to receive unemployment checks.

Position: OPPOSE – FAILED TO PASS LEGISLATURE

AB 1080 (Gonzalez D) California Circular Economy and Plastic Pollution Reduction Act.

Summary: Would enact the California Circular Economy and Plastic Pollution Reduction Act, increasing fees and responsibilities of property owners to recycle and compost.

Position: OPPOSE – FAILED TO PASS LEGISLATURE

AB 1281 (Chau D) Privacy: facial recognition technology: disclosure.

Summary: Requires a business in California that uses facial recognition technology to disclose that usage in a physical sign that is clear and conspicuous at the entrance of every location.

Position: OPPOSE – FAILED TO PASS LEGISLATURE

ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.

Summary: Lowers the vote threshold for raising local taxes to 55%.

Position: OPPOSE – FAILED TO PASS LEGISLATURE

SB 1 (Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.

Summary: Require agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species.

Position: OPPOSE

SB 5 (Beall D) Affordable Housing and Community Development Investment Program.

Summary: Makes changes to the Enhanced Infrastructure Finance District (EIFD) law and Redevelopment 2.0. Makes it easier for local district to set up Tax Increment Financing for infrastructure.

Position: NEUTRAL

SB 54 (Allen D) California Circular Economy and Plastic Pollution Reduction Act.

Summary: Enacts the law to achieve a 75% reduction in single-use packaging and priority single-use

plastic products by 2030. Puts onerous requirements on property owners and businesses.

Position: OPPOSE

SB 127 (Wiener D) Transportation funding: active transportation: complete streets.

Summary: Requires CalTrans to design bicycle and pedestrian facilities on all projects the state undertakes. Estimated cost is in the billions to the state.

Position: OPPOSE

SB 531 (Glazer D) Local agencies: retailers.

Summary: Prohibits local agencies from entering into certain economic development agreements with companies for locating in the local jurisdiction.

Position: OPPOSE

SCA 5 (Hill D) Taxation: school districts: parcel tax.

Summary: Lowers voter threshold to 55% on certain local taxes.

Position: OPPOSE – FAILED TO PASS LEGISLATURE.

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