

LRC 10-8-21

#2 Legislative  
Update

C – Cupertino Bill  
Positions Matrix

## City of Cupertino Bill Positions

### [AB 14](#)

**(Aguiar-Curry D) Communications: California Advanced Services Fund: deaf and disabled telecommunications program: surcharges.**

**Current Text:** Enrollment: 9/17/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 9/2/2021

**Status:** 9/17/2021-Enrolled and presented to the Governor at 3 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Under current law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Current law requires the commission to develop, implement, and administer the California Advanced Services Fund (CASF) to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Current law authorizes the commission to impose a surcharge to collect \$330,000,000 for deposit into the CASF beginning January 1, 2018, and continuing through the 2022 calendar year. Current law specifies the amount of surcharge revenues to be deposited into each account within the CASF, subject to appropriation by the Legislature. This bill would authorize the commission to impose the surcharge to fund the CASF until December 31, 2032, as specified.

**Organization Position**  
City of Cupertino Watch

### [AB 71](#)

**(Rivas, Luz D) Homelessness funding: Bring California Home Act.**

**Current Text:** Amended: 5/24/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 5/24/2021

**Status:** 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	2 year	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Personal Income Tax Law, in conformity with federal income tax law, generally defines gross income as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current federal law, for purposes of determining a taxpayer's gross income for federal income taxation, requires that a person who is a United States shareholder of any controlled foreign corporation to include in their gross income the global intangible low-taxed income for that taxable year, as provided. This bill, for taxable years beginning on or after January 1, 2022, would include a taxpayer's global intangible low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions.

**Organization Position**  
City of Cupertino Watch

### [AB 215](#)

**(Chiu D) Planning and Zoning Law: housing element: violations.**

**Current Text:** Chaptered: 9/29/2021 [html](#) [pdf](#)

**Introduced:** 1/11/2021

**Last Amend:** 8/30/2021

**Status:** 9/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 342, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires a planning agency, before adopting its housing element or amendment to its housing element, to submit a draft element or draft amendment to the Department of Housing and Community Development. This bill would require a local government to make the first draft revision of a housing element available for public comment for at least 30 days and, if any comments are received, take at least 10 additional business days to consider and incorporate public comments into the draft revision before submitting it to the department. The bill would require a local government to post any subsequent draft revision on its internet website and to email a link to the draft revision to individuals and organizations that have requested notices relating to the local government's housing element, as specified.

**Organization Position**  
City of Cupertino Oppose

**[AB 377](#)**

**(Rivas, Robert D) Water quality: impaired waters.**

**Current Text:** Amended: 4/13/2021 [html](#) [pdf](#)

**Introduced:** 2/1/2021

**Last Amend:** 4/13/2021

**Status:** 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Desk	Policy	<b>2 year</b>	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.

**Organization Position**  
City of Cupertino Watch

**[AB 988](#)**

**(Bauer-Kahan D) Mental health: 988 crisis hotline.**

**Current Text:** Amended: 6/22/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 6/22/2021

**Status:** 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was E. U., & C. on 6/24/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	<b>2 year</b>	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law, the Warren-911-Emergency Assistance Act, requires every local public agency, as defined, to have an emergency communication system and requires the digits "911" to be the primary emergency telephone number within the system. Current federal law, the National Suicide Hotline Designation Act, designates the 3-digit telephone number "988" as the universal number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline maintained by the Assistant Secretary for Mental Health and Substance Abuse and the Veterans Crisis Line maintained by the Secretary of Veterans Affairs. This bill would require 988 centers, as defined, to, by July 16, 2022, provide a person experiencing a behavioral health crisis access to a trained counselor by call and, by January 1, 2027, provide access to a trained counselor by call, text, and chat.

**Organization Position**  
City of Cupertino Support

**[AB 989](#)**

**(Gabriel D) Housing Accountability Act: appeals: Office of Housing Appeals.**

**Current Text:** Amended: 8/18/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 8/18/2021

**Status:** 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	<b>2 year</b>	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Housing Accountability Act prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, specified housing development projects, including projects for very low, low-, or moderate-income households and projects for emergency shelters that comply with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, unless the local agency makes specified written findings based on a preponderance of the evidence in the record. This bill would, until January 1, 2029, establish an Office of Housing Appeals (office) within the department, administered by the director of the department, to review housing development projects that are alleged to have been denied or subject to conditions in violation of the Housing Accountability Act. The bill would establish housing appeals panels, consisting of administrative law judges with specified qualifications, within the office.

**Organization Position**  
City of Cupertino Oppose

**[AB 1091](#) (Berman D) Santa Clara Valley Transportation Authority: board of directors.**

**Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Status:** 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/27/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	2 year	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	
1st House				2nd House				Conc.				

**Summary:** Current law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Current law vests the government of the VTA in a 12-member board of directors whose terms of office are two years. Under existing law, only members of the county board of supervisors and city council members and mayors of cities in the county are authorized to serve on the board. Current law provides for the appointment of the board members by those local governments, as specified. This bill, on and after July 1, 2022, would reduce the size of the board to 9 members, increase their terms of office to 4 years, and provide for residents living in the county, rather than local officials, to serve on the board, as specified.

**Organization Position**

City of Cupertino Oppose

**[AB 1174](#) (Grayson D) Planning and zoning: housing: development application modifications, approvals, and subsequent permits.**

**Current Text:** Chaptered: 9/16/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 8/23/2021

**Status:** 9/16/2021-Chaptered by Secretary of State - Chapter 160, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	
1st House				2nd House				Conc.				

**Summary:** The Planning and Zoning Law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards, including, that the development and the site on which it is located satisfy specified location, urbanization, and zoning requirements. Current law provides that a development approved pursuant to the streamlined, ministerial approval process is valid indefinitely if specified requirements are met, and otherwise is valid, except as provided, for 3 years from the date of the final action establishing that approval and remains valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Current law authorizes a development proponent to request a modification to a development that has been approved under the streamlined, ministerial approval process if the request is submitted before the issuance of the final building permit required for construction of the development. Current law defines "affordable rent" for purposes of this streamlined, ministerial approval process. This bill would clarify the requirements that must be met for an approved development to be valid indefinitely.

**Organization Position**

City of Cupertino Oppose

**[AB 1401](#) (Friedman D) Residential and commercial development: remodeling, renovations, and additions: parking requirements.**

**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amend:** 7/5/2021

**Status:** 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf.	Enrolled	Vetoed	Chaptered	
1st House				2nd House				Conc.				

**Summary:** Would prohibit a public agency in a county with a population of 600,000 or more from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within 1/2 mile, as specified, of public transit, as defined. The bill would prohibit a public agency in a city with of 75,000 or more located in a county with a population of less than 600,000 from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the project is located within 1/4 mile, as specified, of public transit, as defined. The bill would create authorizations in this regard for a city or a county to which these prohibitions do not apply.

**Organization Position**

City of Cupertino Oppose

**[ACA 1](#)**

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

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Status:** 4/22/2021-Referred to Coms. on L. GOV. and APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

**Organization Position**

City of Cupertino Watch

**[ACA 4](#)**

**(Kiley R) Elections: initiatives and referenda.**

**Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Status:** 2/18/2021-From printer. May be heard in committee March 20.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would transfer from the Attorney General to the Legislative Analyst the duty of preparing the title and summary for a proposed initiative or referendum. The measure would also require, for each measure that appears on a statewide ballot, the Legislative Analyst to prepare the ballot label and the ballot title and summary for the state voter information guide.

**Organization Position**

City of Cupertino Watch

**[ACA 7](#)**

**(Muratsuchi D) Local government: police power: municipal affairs: land use and zoning.**

**Current Text:** Introduced: 3/16/2021 [html](#) [pdf](#)

**Introduced:** 3/16/2021

**Status:** 3/17/2021-From printer. May be heard in committee April 16.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city would prevail over conflicting general laws, with specified exceptions. The measure, in the event of the conflict with a state statute, would also specify that a city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and prevails over a conflicting state statute, except that the measure would provide that a court may determine that a city charter provision, ordinance, or regulation addresses either a matter of statewide concern or a municipal affair if it conflicts with specified state statutes. The measure would make findings in this regard and provide that its provisions are severable.

**Organization Position**

City of Cupertino Support

**[SB 4](#)**

**(Gonzalez D) Communications: California Advanced Services Fund.**

**Current Text:** Enrollment: 9/17/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 9/2/2021

**Status:** 9/17/2021-Enrolled and presented to the Governor at 1:30 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the Governor's Office of Business and Economic Development to coordinate with other relevant state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity.

**Organization Position**

City of Cupertino Watch

**[SB 6](#)**

**(Caballero D) Local planning: housing: commercial zones.**

**Current Text:** Amended: 8/23/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 8/23/2021

**Status:** 9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was H. & C.D. on 8/23/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

**Organization Position**

City of Cupertino Oppose

**[SB 7](#)**

**(Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.**

**Current Text:** Chaptered: 5/20/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 2/18/2021

**Status:** 5/20/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 19, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.

**Organization Position**

City of Cupertino Oppose Unless Amended

**[SB 8](#)**

**(Skinner D) Housing Crisis Act of 2019.**

**Current Text:** Chaptered: 9/16/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 8/26/2021

**Status:** 9/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 161, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would clarify, for various purposes of the Housing Crisis Act of 2019, that "housing development project" includes projects that involve no discretionary approvals, projects that involve both discretionary and nondiscretionary approvals, and projects that include a proposal to construct a single dwelling unit. The bill would specify that this clarification is declaratory of existing law, except that the clarification does not affect a project for which an application was submitted to the city, county, or city and county before January 1, 2022.

**Organization Position**

City of Cupertino Oppose

**[SB 9](#)**

**(Atkins D) Housing development: approvals.**

**Current Text:** Chaptered: 9/16/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 8/16/2021

**Status:** 9/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 162, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

**Organization Position**  
City of Cupertino Oppose

**SB 10**

**(Wiener D) Planning and zoning: housing development: density.**

**Current Text:** Chaptered: 9/16/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 7/5/2021

**Status:** 9/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 163, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

**Organization Position**  
City of Cupertino Oppose

**SB 15**

**(Portantino D) Housing development: incentives: rezoning of idle retail sites.**

**Current Text:** Amended: 5/20/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 5/20/2021

**Status:** 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was DESK on 6/1/2021) (May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	2 year	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature in the Budget Act or other act, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of housing, as defined.

**Organization Position**  
City of Cupertino Watch

**SB 52**

**(Dodd D) State of emergency: local emergency: planned power outage.**

**Current Text:** Chaptered: 10/6/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 8/26/2021

**Status:** 10/6/2021-Chaptered by Secretary of State - Chapter 597, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would define a 'deenergization event' as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a local emergency, with prescribed limitations.

**Organization Position**  
City of Cupertino Support

**SB 60**

**(Glazer D) Residential short-term rental ordinances: health or safety infractions: maximum fines.**

**Current Text:** Chaptered: 9/24/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amend:** 8/23/2021

**Status:** 9/24/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 307, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law sets specific monetary limits on the fines that may be imposed by city or county authorities for any violation of local building and safety codes that is an infraction, as prescribed. Current law requires a city or county levying fines pursuant to these provisions to establish a process for granting a hardship waiver in certain cases. This bill would, notwithstanding those provisions and with certain exceptions, raise the maximum fines for violation of an ordinance relating to a residential short-term rental, as defined, that is an infraction and poses a threat to health or safety, to \$1,500 for a first violation, \$3,000 for a 2nd violation of the same ordinance within one year, and \$5,000 for each additional violation of the same ordinance within one year of the first violation. The bill would make these violations subject to the process for granting a hardship waiver.

**Organization Position**  
City of Cupertino Support

**SB 99**

**(Dodd D) Community Energy Resilience Act of 2021.**

**Current Text:** Amended: 7/5/2021 [html](#) [pdf](#)

**Introduced:** 12/28/2020

**Last Amend:** 7/5/2021

**Status:** 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/19/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law establishes within the Natural Resources Agency the State Energy Resources Conservation and Development Commission. Current law assigns the commission various duties, including applying for and accepting grants, contributions, and appropriations, and awarding grants consistent with the goals and objectives of a program or activity the commission is authorized to implement or administer. This bill, the Community Energy Resilience Act of 2021, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources by local governments.

**Organization Position**  
City of Cupertino Support

**SB 278**

**(Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments.**

**Current Text:** Chaptered: 9/27/2021 [html](#) [pdf](#)

**Introduced:** 1/29/2021

**Last Amend:** 9/3/2021

**Status:** 9/27/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 331, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation. This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by



the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation.

**Organization Position**  
City of Cupertino Oppose

**SB 290 (Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.**

**Current Text:** Chaptered: 9/28/2021 [html](#) [pdf](#)

**Introduced:** 2/1/2021

**Last Amend:** 8/16/2021

**Status:** 9/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 340, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. The bill would require a city or county to grant one incentive or concession for a student housing development project that will include at least 20% of the total units for lower income students.

**Organization Position**  
City of Cupertino Oppose

**SB 314 (Wiener D) Alcoholic beverages.**

**Current Text:** Enrollment: 9/9/2021 [html](#) [pdf](#)

**Introduced:** 2/4/2021

**Last Amend:** 8/30/2021

**Status:** 9/9/2021-Enrolled and presented to the Governor at 1 p.m.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes the issuance of a caterer’s permit, upon application to the Department of Alcoholic Beverage Control, to a licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans’ club license, that authorizes the holder of the permit to sell alcoholic beverages at specified locations and events, including, among others, conventions, sporting events, and trade exhibits. Under existing law, licensees are required to first obtain consent from the department for sales of alcoholic beverages at each event in the form of a catering or event authorization. This bill would prohibit the issuance of a catering authorization for use at any one premises for more than 36 events in one calendar year, except as specified.

**Organization Position**  
City of Cupertino Watch

**SB 323 (Caballero D) Local government: water or sewer service: legal actions.**

**Current Text:** Chaptered: 9/23/2021 [html](#) [pdf](#)

**Introduced:** 2/5/2021

**Last Amend:** 8/16/2021

**Status:** 9/23/2021-Chaptered by Secretary of State. Chapter 216, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, as defined, that exceed the estimated reasonable cost of providing the service for which the fee is charged, unless voter approval is obtained. Existing law provides that a local agency levying a new water or sewer connection fee or increasing a fee must do so by ordinance or resolution. Current law requires, for specified fees, including water or sewer connection fees, any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion according to specified procedures for validation proceedings. Except as provided, this bill would require any judicial action or proceeding to attack, review, set aside, void, validate, or annul an ordinance, resolution, or motion adopting, modifying, or amending water or sewer service fees or charges adopted after January 1, 2022, to be commenced within 120 days of the effective date or the date of final passage, adoption, or approval of the ordinance, resolution, or motion, whichever is later.

**Organization Position**  
City of Cupertino Watch

**SB 477**

**(Wiener D) General plan: annual report.**

**Current Text:** Vetoes: 10/5/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amend:** 8/30/2021

**Status:** 10/5/2021-Vetoes by the Governor. In Senate. Consideration of Governor's veto pending.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide, by April 1 of each year, an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified information, the number of applications submitted, the location and total number of developments approved, the number of building permits issued, and the number of units constructed pursuant to a specific streamlined, ministerial approval process. This bill would, commencing January 1, 2024, require a planning agency to include in that annual report specified information on costs, standards, and applications for proposed housing development projects and specified information on housing development projects within the jurisdiction.

**Organization Position**

City of Cupertino Oppose

**SB 478**

**(Wiener D) Planning and Zoning Law: housing development projects.**

**Current Text:** Chaptered: 9/28/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amend:** 9/2/2021

**Status:** 9/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 363, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Planning and Zoning Law requires the Department of Housing and Community Development to notify the city, county, or city and county, and authorizes the department to notify the Attorney General, that the city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local government has taken an action in violation of certain housing laws. This bill would prohibit a local agency, as defined, from imposing a floor area ratio standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units.

**Organization Position**

City of Cupertino Oppose

**SB 556**

**(Dodd D) Street light poles, traffic signal poles: small wireless facilities attachments.**

**Current Text:** Vetoes: 10/4/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 6/28/2021

**Status:** 10/4/2021-Vetoes by the Governor. In Senate. Consideration of Governor's veto pending.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would prohibit a local government or local publicly owned electric utility from unreasonably denying the leasing or licensing of its street light poles or traffic signal poles to communications service providers for the purpose of placing small wireless facilities on those poles. The bill would require that street light poles and traffic signal poles be made available for the placement of small wireless facilities under fair, reasonable, and nondiscriminatory fees, as provided. The bill would authorize a local government or local publicly owned electric utility to condition access to its street light poles or traffic signal poles on reasonable terms and conditions, including reasonable aesthetic and safety standards.

**Organization Position**

City of Cupertino Oppose

**SB 612**

**(Portantino D) Electrical corporations and other load-serving entities: allocation of legacy resources.**

**Current Text:** Amended: 5/20/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 5/20/2021

**Status:** 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was U. & E. on 6/10/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require an electrical corporation, by July 1, 2022, and not less than once every 3 years thereafter, to offer an allocation of certain electrical resources to its bundled customers and to other load-serving entities, including electric service providers and community choice aggregators, that serve departing load customers who bear cost responsibility for those resources. The bill would authorize a load-serving entity within the service territory of the electrical corporation to elect to receive all or a portion of the vintaged proportional share of those legacy resources allocated to its end-use customers and, if it so elects, would require it to pay to the electrical corporation the commission-established market price benchmark for the vintage proportional share of the resources received.

**Organization Position**  
City of Cupertino Support

**[SB 617](#) (Wiener D) Residential solar energy systems: permitting.**

**Current Text:** Amended: 5/4/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 5/4/2021

**Status:** 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2021)(May be acted upon Jan 2022)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require every city and county to implement an online, automated permitting platform that verifies code compliance and instantaneously issues permits for a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating, as specified. The bill would require a city or county to amend a certain ordinance to authorize a residential solar energy system and an energy storage system to use the online, automated permitting platform. The bill would prescribe a compliance schedule for satisfying these requirements, which would exempt a county with a population of less than 150,000 and all cities within a county with a population of less than 150,000.

**Organization Position**  
City of Cupertino Support

**[SB 619](#) (Laird D) Organic waste: reduction regulations: local jurisdiction compliance.**

**Current Text:** Chaptered: 10/5/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amend:** 9/3/2021

**Status:** 10/5/2021-Approved by the Governor.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the State Air Resources Board to complete, approve, and implement a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state to achieve, among other things, a reduction in the statewide emissions of methane by 40%. Current law requires the methane emissions reduction goals to include specified targets to reduce the landfill disposal of organics. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve those targets for reducing organic waste in landfills, and authorizes those regulations to require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction, to authorize local jurisdictions to impose penalties on generators for noncompliance, and to include penalties to be imposed by the department for noncompliance. This bill would authorize a local jurisdiction facing continuing violations that commence during the 2022 calendar year of those regulations to submit to the department no later than March 1, 2022, a notification of intent to comply, as prescribed.

**Organization Position**  
City of Cupertino Support

**[SB 780](#) (Cortese D) Local finance: public investment authorities.**

**Current Text:** Chaptered: 9/28/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amend:** 8/23/2021

**Status:** 9/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 391, Statutes of 2021.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law establishes enhanced infrastructure financing districts to finance public capital facilities or other specified projects of communitywide significance. Current law provides for the membership of the governing body of the district, referred to as the public financing authority. This bill would authorize the legislative bodies, as defined, to appoint an alternate member to the public financing authority who may serve and vote in place of a member who is absent or disqualifies themselves from participating in a meeting of the authority. If a district has more than 3 participating affected taxing entities, the bill would authorize the legislative bodies of the taxing entities to, upon agreement, appoint only one member of their respective legislative bodies, and one alternate member, in addition to the public members.

**Organization Position**  
City of Cupertino Support

**SB 792 (Glazer D) Sales and use tax: returns: online transactions: local jurisdiction schedule.**

**Current Text:** Vetoed: 10/4/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Last Amend:** 8/26/2021

**Status:** 10/4/2021-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes the Department of Tax and Fee Administration to require the filing of reports by any person or class of persons with information relating to sales of tangible personal property, the storage, use, or other consumption of which is subject to the use tax, as specified. Current law requires a retailer or purchaser subject to the sales and use tax to file, on or before the last day of the month following each quarterly period, a return for the preceding quarterly period. This bill, for reporting periods beginning on or after January 1, 2022, would require a qualified retailer, defined as a retailer whose annual qualified sales of tangible personal property transacted online exceeded \$50,000,000 for the previous calendar year, to include with each tax return a schedule that reports for each local jurisdiction the gross receipts from the qualified sale of tangible personal property shipped or delivered to a purchaser in that jurisdiction.

**Organization Position**  
City of Cupertino Oppose

**Total Measures: 34**

**Total Tracking Forms: 34**