



STATE LEGISLATION COMMITTEE
Wednesday, August 3, 2022
11:00am – 1:00pm
City Hall, Room 201 and WebEx

This meeting will be held in hybrid format pursuant to Section 1(b)(iii) of the Mayor’s 45th Supplement to the Proclamation of Local Emergency. Members of the public may attend and provide public comment in person at the meeting location identified above or may attend and provide public comment remotely via WebEx. To join the meeting via WebEx, please use the following access information:

<https://ccsf.webex.com/ccsf/j.php?MTID=m19d4fa87b85b1e53e25e5f430281b19b>

Meeting ID: 2485 669 9869 / **Meeting Password:** mtE6yd6aPV3 (68369362 from phones) **Join by Phone** at +1-415-655-0001

(Public Comment Instructions available on page 7)

MEMBERS:

Mayor’s Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Preston Kilgore
Supervisor Connie Chan -- Kelly Groth
Assessor’s Office -- Holly Lung
City Attorney’s Office -- Rebekah Krell
Controller’s Office -- Albert Lin
Treasurer’s Office -- Eric Manke

AGENDA

I. ROLL CALL

II. FINDINGS TO ALLOW TELECONFERENCE MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION 54953(e) (Action Item).

Discussion and possible adoption of a resolution setting forth findings required under Assembly Bill 361 (AB 361) that would allow the State Legislation Committee to hold meetings, or for members of the State Legislation Committee to attend meetings, when necessary, remotely according to the modified Brown Act teleconferencing set forth in AB 361.

III. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting on May 18, 2022 and June 15, 2022.

IV. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item). The City's state lobbyist will present to the Committee an update on State legislative matters.

V. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

San Francisco Municipal Transportation Agency and San Francisco Planning Department

Presenter: Kathryn Angotti & Aaron Starr

SB 932 (Portantino): General plans: circulation element: bicycle and pedestrian plans and traffic calming plans

Recommended Position: Oppose

This bill requires that the next update of the Transportation Element of the General Plan include bicycle plans, pedestrian plans and traffic calming plans. Failure to implement these plans within two years would create a cause of action for bicyclists, pedestrians and users of micromobility devices injured as a result of a collision with a vehicle within corridors with large pedestrian and bicycle volumes.

San Francisco Film Commission

Presenter: Manijeh Fata

SB 485 (Portantino): Tax Credit: Motion Picture Credit Extension

Recommended Position: Support If Amended

SB 485 would extend the California Film and Tax Credit Program 3.0 to 2030. We recommend supporting the bill if it is amended to include a 10% credit for filming in one of the nine Bay Area Counties (Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, Sonoma, and San Francisco).

San Francisco Public Utilities Commission

Presenter: Scott Ammon

SB 717 (Dodd): Broadband communications: report

Recommended Position: Oppose Unless Amended

This bill would require the California Department of Technology to do a report to the Legislature that reviews and identifies barriers to and opportunities for the buildout of broadband access points on public and private property as well

as access to mobile and fixed broadband infrastructure for low-income tribal, urban, and rural customers, and underserved communities.

Office of Small Business

Presenter: Kerry Birnbach

AB 2164 (Lee): Disability access: certified access specialist program

Recommended Position: Support

Current law requires that a City or a County include an additional four-dollar fee to any business license, instrument, permit, or building permit to support disability access education and improvements. Ten percent of that fee goes to the Division of the State Architect's (DSA) Disability Access and Education Revolving Fund, to be used to support accessibility improvements in places of public accommodation. Local jurisdictions receive the other 90% of the fee. On January 1 2024, local jurisdictions will receive 70% of the fee, and the fee will decrease to one dollar. This bill would remove the sunset date of the four-dollar fee, and remove the sunset of the 90% fee allocation going to local jurisdictions, making the business license/permit fee of \$4 permanent, and the 90% allocation to local jurisdictions permanent. AB 2164 would also require cities or counties to annually report total fees collected, total number of small businesses who received financial assistance and the amount of financial assistance provided to the California Commission on Disability Access (CCDA).

Department of Environment

Presenter: Kyle Wehner

AB 2026 (Friedman): Recycling: plastic packaging

Recommended Position: Support

This bill would require online (e-commerce) retailers that ship purchased products in or into California to reduce from 2023 levels the total weight and number of units of single-use plastic shipping envelopes, cushioning, and void fill used to ship or transport products by an unspecified percentage set by CalRecycle by 2030. The bill would establish exemptions from these requirements.

Department on the Status of Women

Presenter: Daisy Prado

AB 1242 (Bauer-Kahan): Reproductive Rights

Recommended Position: Support

The purpose of AB 1242 is to prohibit third-party enforcement from arresting a person for performing or aiding in the performance of a lawful abortion or for obtaining an abortion and to prohibit law enforcement agencies from cooperating with or providing information to an individual or agency from another state regarding a lawful abortion.

AB 2091 (Bonta): Disclosure of information: reproductive health and foreign penal civil actions

Recommended Position: Support

AB 2091 enhances privacy protections in California for medical records related to abortion and pregnancy.

AB 2223 (Wicks): Reproductive Health

Recommended Position: Support

AB 2223 protects people from prosecutions and criminalization of abortion or pregnancy loss. It also protects patients that self-manage their abortion.

SB 1142 (Caballero): Abortion Services

Recommended Position: Support

Senate Bill 1142 would fund the work of abortion fund organizations, abortion providers, or other community-based organizations that secure practical support needs for patients. The bill would also require California Health and Human Services Agency (CHHS) to develop, implement, and update as necessary, a statewide educational and outreach campaign to inform the public on how to access abortion services in the state.

SB 1245 (Kamlager): LA County Abortion Access Safe Haven Pilot Program

Recommended Position: Support

SB 1245 establishes the Los Angeles County Abortion Access Safe Haven Pilot Program for the purpose of expanding and improving access to sexual and reproductive health care, including abortion, in Los Angeles County.

San Francisco Board of Supervisor Rafael Mandelman (District 8)

Presenter: Jacob Bintliff

AB 916 (Salas): Zoning: accessory dwelling units: bedroom addition

Recommended Position: Support If Amended

The bill is ostensibly intended to ease production of ADUs by increasing the height limits on ADUs provided under the existing State program. The bill additionally waives local hearing requirements for projects that add bedrooms to an existing dwelling unit.

VI. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

VII. ADJOURNMENT

Disability Access

Room 201 of City Hall is located at 1 Dr. Carlton B. Goodlett Place and is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible Muni lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness, as well as Muni Metro stations at Van Ness and Civic Center. For more information about Muni accessible services, call 923-6142. There is accessible parking at the Civic Center Plaza garage.

Know Your Rights Under the Sunshine Ordinance

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at www.sfgov.org/sunshine.htm.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Sec. 2.100 –2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone 415-581-2300, fax 415-581-2317, Internet website: www.sfgov.org/ethics.

Cell Phones and Pagers

The ringing and use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or

use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

Public Comment will be taken on each item on the agenda before or during consideration of that item.

Documents that may have been provided to members of the State Legislation Committee in connection with the items on the agenda include proposed state legislation, consultant reports, correspondence and reports from City departments, and public correspondence. These may be inspected by contacting Edward McCaffrey, Manager, State and Federal Affairs, Mayor's Office at: (415) 554-6588.

Health Considerations

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

August 3, 2022 State Legislation Committee

View the meeting:

<https://ccsf.webex.com/ccsf/j.php?MTID=m19d4fa87b85b1e53e25e5f430281b19b>

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Information Regarding Providing Public Comment

- Each individual may comment 1 time per agenda item.
- Each individual may speak for up to 2 minutes; after which time the line is automatically silenced.
- To make public comment on a specific agenda item, dial in using the information above when the item is called.
- Dial *3 to be added to the public comment queue for this item.
- When it is your time to speak, you will hear "Your line has been unmuted."
- Ensure you are in a quiet location.
- Before you speak, mute the sound of any equipment around you including televisions, radios, and computers. It is especially important that **you mute your computer** so there is no echo sound when you speak.
- When the Commission Secretary states, "Next Caller," you are encouraged to state your name clearly. As soon as you speak, your 2 minute allotment will begin.
- After you speak, you will go back to listening mode. You may stay on the line to provide public comment on another item.

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in

California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, State Legislation Committee has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That State Legislation Committee finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, State Legislation Committee has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.
3. As described above, because of the COVID-19 pandemic, conducting meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of State Legislation Committee will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of State Legislation Committee that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the Committee Chair of State Legislation Committee is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of State Legislation Committee within the next 30 days. If State Legislation Committee does not meet within the next 30 days, the Committee Chair is directed to place a such resolution on the agenda of the next meeting of State Legislation Committee.



STATE LEGISLATION COMMITTEE

Wednesday, May 18, 2022

11:00am – 1:00pm

City Hall, Room 201

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Preston Kilgore
Supervisor Connie Chan -- Kelly Groth
Assessor's Office -- Holly Lung
City Attorney's Office -- Jen Kwart
Controller's Office -- Dan Kaplan
Treasurer's Office -- Eric Manke

AGENDA

Meeting Commences at 11:00 AM.

I. ROLL CALL

Present: Edward McCaffrey, Preston Kilgore, Kelly Groth, Holly Lung,
Jen Kwart, Eric Manke, Dan Kaplan

Absent: None

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting of April 20, 2022.

No public comment.

Motion to Approve: Edward McCaffrey
Seconded by: Eric Manke
Approved: 7-0

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).

The City's state lobbyist will present to the Committee an update on State legislative matters.

Presenter: Karen Lange, Partner, Shaw Yoder Antwih Schmelzer & Lange

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

Department of Homelessness & Supportive Housing

Presenter: Dylan Schneider

AB 2547 (Nazarian): Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Act

Recommended Position: Support

This bill would require the California Department of Aging to create and administer the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program. The bill would require the department to offer competitive grants to nonprofit community-based organizations, continuums of care, and public housing authorities to administer a housing subsidy program for older adults and persons with a disability that are experiencing homelessness or at risk of homelessness.

The bill would require the department, to prioritize communities where renters face high rates of poverty, displacement, gentrification, and homelessness. Funds would be dedicated to specific activities, including, housing subsidies, landlord recruitment and tenancy acquisition services, landlord incentives, and housing navigation and tenancy transition services.

No public comment.

Motion to Support AB 2547: Eric Manke

Seconded by: Edward McCaffrey

Approved: 7-0

Department of Public Health

Presenter: Max Gara

AB 1737 (Holden): Children's camps: local registration and inspections

Recommended Position: Oppose

AB 1737 would establish a statewide regulatory structure for children's camps to be administered by local health departments (LHDs). This bill would expand the responsibilities of LHDs beyond their scope of expertise and current capacity without achieving the bill's child safety aims. Therefore San Francisco Department of Public Health recommends an oppose position.

No public comment.

Motion to Oppose AB 1737: Edward McCaffrey

Seconded by: Jen Kwart

Approved: 7-0

San Francisco Public Utilities Commission

Presenter: Rebecca Peacock

SB 1345 (Ochoa Bogh): Excavations: subsurface installations

Recommended Position: Oppose unless amended

This bill would remove the exemption for unpressurized sewer lines and storm

drains from California's Dig Safe Law. It also makes other changes, such as redefining working days to exclude weekends and holidays and removing a provision regarding discrepancies in excavation area delineation. The SFPUC recommends an oppose unless amended position for SB 1345.

No public comment.

Motion to Oppose unless amended SB 1345: Kelly Groth

Seconded by: Jen Kwart

Approved: 7-0

Department of Environment

Presenter: Kyle Wehner

SB 1255 (Portantino): Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K-12 Schools and Community Colleges

Recommended Position: Support

SB 1255 would establish the Dishwasher Grant Program for Waste Reduction in K-12 schools and community colleges in California. This program would be administered by CalRecycle and would provide grants of up to \$40,000 to school districts, charter schools, and community colleges for the purchase and installation of commercial dishwashers.

No public comment.

Motion to Support SB 1255: Kelly Groth

Seconded by: Holly Lung

Approved: 7-0

Office of Economic Workforce Development

Presenter: Christopher Corgas

AB 2890 (Bloom): Property and business improvement districts

Recommend Position: Support

AB 2890 clarifies the standards and procedures that Property Business Improvement District leadership and engineers use when determining what is a "special benefit" and "general benefit" for the purposes of Property and Business Improvement District (PBID) assessments. AB 2890 clears up current statute ambiguity with the benefit identification requirement.

No public comment.

Motion to Support AB 2890: Eric Manke

Seconded by: Holly Lung

Approved: 7-0

Presenter: Lisa Pagan

SB 301 (Skinner): Online Marketplaces: Retail Theft

Recommended Position: Support

SB 301 would help combat the sale of stolen goods on online marketplaces by providing higher standards of accountability and verification for third-party-sellers on online platforms, helping online marketplaces identify and take action against sellers of stolen goods.

The bill would empower the California Attorney General to enforce through civil penalties increased transparency requirements for third party online sellers on

online marketplaces. Marketplaces must require sellers to disclose information such as their name, address, bank account information, tax identification information, and contact information. Disclosure requirements become more significant for higher volume sellers. The marketplace must receive and verify required information, and if sellers do not comply with the law's requirements, the marketplace must suspend their activity or face penalties.

No public comment.

Motion to Support SB 301: Edward McCaffrey

Seconded by: Preston Kilgore

Approved: 7-0

Department on the Status of Women

Presenter: Eddie McCaffrey

SB 1161 (Min): Transit operators: street harassment plans

Recommended Position: Support

California's public transit systems provide a crucial service to local communities.

Unfortunately, studies show that many women (trans and cisgender) and other vulnerable communities experience harassment while using these services. This measure will require California's 10 largest transit operators to gather research on street harassment of women and other vulnerable communities and to develop data-driven initiatives to help prevent street harassment on public transit systems.

No public comment.

Motion to Support SB 1161: Edward McCaffrey

Seconded by: Kelly Groth

Approved: 7-0

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

No public comment.

VI. ADJOURNMENT

Meeting Concluded at 11:42 AM.



STATE LEGISLATION COMMITTEE

Wednesday, June 15, 2022

11:00am – 1:00pm

City Hall, Room 201

MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey
Supervisor Dean Preston -- Preston Kilgore
Supervisor Connie Chan -- Kelly Groth
Assessor's Office -- Holly Lung
City Attorney's Office -- Rebekah Krell
Controller's Office -- Dan Kaplan (Substitute: James Whitaker)
Treasurer's Office -- Eric Manke

Meeting Commenced at 11:04 AM.

AGENDA

I. ROLL CALL

Present: Edward McCaffrey, Preston Kilgore, Kelly Groth, Rebekah Krell, Eric Manke, James Whitaker

Absent: Holly Lung

II. APPROVAL OF MEETING MINUTES (Action Item).

Discussion and possible action to approve the minutes from the meeting of May 18, 2022.

No public comment.

Motion to Approve: Edward McCaffrey

Seconded by: James Whitaker Approved: 6-0

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).

The City's state lobbyist will present to the Committee an update on State legislative matters.

Presenter: Karen Lange, Partner, Shaw Yoder Antwih Schmelzer & Lange

IV. PROPOSED LEGISLATION (Discussion and Action).

Discussion and possible action item: the Committee with review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

San Francisco Municipal Transportation Agency

Presenter: Katie Angotti

AB 1909 (Friedman): Vehicles: bicycle omnibus bill

Recommended Position: Support and seek amendments

AB 1909 changes provisions of the California Vehicle Code related to the operations of bicycles and the rules of the road for motor vehicles to make it safer for and encourage bicycle and e-bicycle use.

Public comment: David Pilpel commented to support the recommended position.

Motion to Support AB 1909: Edward McCaffrey

Seconded by: Preston Kilgore

Approved: 6-0

Department of Environment

Presenter: Kyle Wehner

AB 2481 (Smith): Household Hazardous Waste: Facilities: Transportation and Acceptance

Recommended Position: Support

AB 2481 makes a variety of technical and noncontroversial changes to the Health and Safety Code to clarify laws related to transportation of Household Hazardous Waste (HHW) and operation of HHW collection facilities. This bill will provide flexibility for local facilities and make it easier for individuals to properly dispose of household toxics and HHW while still protecting public health, safety, and the environment.

Public comment: No Public Comment

Motion to Support AB 2481: Eric Manke

Seconded by: Kelly Groth

Approved: 6-0

SB 1256 (Wieckowski): Waste management: disposable propane cylinders

Recommended Position: Support

Beginning January 1, 2028, SB 1256 would prohibit the sale of 1 lb. disposable propane cylinders. Violation of this provision may be subject to civil penalties

imposed by a city attorney or county counsel.

Public comment: A member of the public commented to support the recommended position.

Motion to Support SB 1256: Edward McCaffrey
Seconded by: Eric Manke
Approved: 6-0

San Francisco Public Utilities Commission

Presenter: Scott Ammon

SB 1020 (Laird): Clean Energy, Jobs, and Affordability Act of 2022

Recommended Position: Support

This bill would revise the zero-carbon electric sector targets set by SB 100 to include interim targets requiring 90 percent of all retail electricity sales to be supplied by eligible renewable and zero-carbon energy resources by 2035; this requirement would increase to 95 percent by 2040. The bill would also require 100 percent of electricity procured to serve state agencies to be supplied by eligible renewable and zero-carbon resources by 2030.

Public comment: David Pilpel commented to support the recommended position and offered a recommendation on department coordination.

Motion to Support SB 1020: Kelly Groth
Seconded by: Preston Kilgore
Approved: 6-0

Mayor's Office of Housing and Community Development

Presenter: Sheila Nickolopoulos

AB 2305 (Grayson): Housing Finance: Coordinated Housing Finance Cmte.

Recommended Position: Support

AB 2305 will establish a Coordinated Housing Finance Committee to allocate state-controlled resources to finance affordable rental housing. This would provide a one-stop-shop to apply for all state affordable housing financing, which would significantly streamline the current system.

Public comment: No Public Comment.

Motion to Support AB 2305: Eric Manke
Seconded by: Edward McCaffrey
Approved: 6-0

SB 948 (Becker): Housing finance programs: development reserves

Recommended Position: Support

SB 948 will cut costs for affordable housing projects in California by shifting the responsibility to hold a certain amount of money – what are called

“transition reserves” – from the individual project level to a pooled reserve model operated by the Department of Housing and Community Development (HCD).

Public comment: No Public Comment.

Motion to Support SB 948: Edward McCaffrey
Seconded by: James Whitaker
Approved: 5-0, City Attorney’s Office Absent

Office of Economic and Workforce Development

Presenter: Ben Van Houten

SB 930 (Wiener): Alcoholic beverages: hours of sale

Recommended Position: Support

SB 930 would empower seven cities in California – Cathedral City, Coachella, Fresno, Oakland, Palm Springs, San Francisco, and West Hollywood – to participate in a pilot program to enable businesses within those jurisdictions to apply for “additional hours licenses” from the Department of Alcoholic Beverage Control (ABC). Additional hours licenses would allow restaurants, bars, and music venues to serve alcoholic beverages between 2am and 4am.

Public comment: David Pilpel commented on an oversight body and possible implications.

Motion to Support SB 930: Edward McCaffrey
Seconded by: Preston Kilgore
Approved: 5-0, City Attorney’s Office Absent

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee’s subject matter jurisdiction and that do not appear on the agenda.

David Pilpel commented to suggest updates to the website and meeting minute clarification.

VI. ADJOURNMENT

Meeting Adjourned: 12:03 PM

The last Transportation Element was prepared in 1995. The Planning Department, in coordination with the SFMTA and San Francisco County Transportation Authority have been working to update the Transportation Element and required CEQA review, both of which are anticipated to be adopted and certified, respectively, in 2025.

Challenge

Active transportation is increasing across the state. More and more people are choosing to travel by foot, bike or micromobility device. The author notes, however, that streets have grown more dangerous for these vulnerable road users. The author asserts that some California cities lack data on how to address this safety issue as it relates to vulnerable users and that existing plans that may have saved lives have not been implemented. In light of this, SB 932 seeks to address traffic safety for the State's most vulnerable road users: bicyclists, pedestrians, and micromobility users.

Solution/Recommended Proposal

SB 932 would require that cities and counties include bike, pedestrian and traffic-calming plans in the next revision of their Transportation Element occurring on or after January 1, 2025. These plans must (1) identify corridors or land uses that generate a high concentration of bicyclists or pedestrians ("safety corridors"); (2) use evidence-based strategies to develop safety measures in areas with high concentrations of vulnerable road users; and (3) establish traffic calming around schools and parks and business districts.

The bill then requires the city or county to implement the relevant sections of the Transportation Element within two years of the update and complete them within 25 years. Finally, the bill states that from January 1, 2025 to January 1, 2028, the failure of a jurisdiction to comply with the aforementioned requirements, creates a cause of action for a bicyclist, pedestrian or user of a micromobility device injured in a collision with a vehicle within a safety corridor. The cause of action applies to ten

California counties and includes San Francisco.

While we support the author's desire to increase traffic safety for the most vulnerable road users, we disagree with the author's approach and other provisions of the bill.

Providing a right of action to sue the City will not improve traffic safety outcomes. Instead, it would put a chilling effect on city plans, discouraging city staff, and policymakers from developing ambitious safety goals and identifying projects to achieve such goals. Everything in the plans required by this bill would be reviewed from the standpoint of whether it would increase future liability, such that plans would be watered down and peppered with caveats. Further, every additional dollar that goes toward defending against litigation is one fewer dollar available for improving our local streets and roads.

The bill lacks specificity on elements that could trigger a future lawsuit. The bill requires that cities or counties begin implementation of the Transportation Element within two years but does not specify what "implement" means. For example, would approving a contract for public outreach or engineering count as implementation or striping a bike lane? It's not clear. Also, this bill does not specify what "safety measures" means and only references infrastructure improvements. Traffic safety is multi-dimensional and goes beyond infrastructure to include enforcement, culture change, mode shift, and advanced vehicle technologies, to name a few.

The provision to establish traffic calming around schools and parks lacks understanding of how cities implement traffic calming. Traffic calming is hyper-local and public input is key to success. There must be a process in place, like [SFMTA's Traffic Calming Program](#), that works with neighbors on traffic calming measures that have been endorsed by the community and identifies where traffic calming would be most

effective and appropriate. This bill assumes planners would simply plan to install traffic calming near parks and schools without analysis, community engagement, or assessment of the street context – all of which require time and resources to develop, vet with the community and stakeholders, reiterate if needed, etc. These and other steps are required prior to implementation. This also assumes localities have funding to do implement these measures.

Many factors could prevent cities and counties from implementing plans, exposing them to significant legal liability, including:

- 2019 California Fire Code Section 503.4.1 which requires traffic calming devices to be approved by the fire code official
- CEQA analysis and lawsuits
- Lack of community support for safety measures
- Lack of budget to implement the plans
- Impacts on transit
- Community focus on other projects that are not part of the original plans

This bill does state that cities and counties would not be held to the requirements of the bill upon making a written finding based on evidence that failure to comply was the result of unforeseen circumstances outside of the City's control. The above factors are not unforeseen because they occur today and it's unclear whether they would be deemed outside of the City's control. This bill sets cities up for failure and costly litigation.

It is not appropriate to put detailed bicycle and pedestrian plans in the General Plan or Transportation Element. The Transportation Element is a visionary and framework-setting document. It is not an implementation or infrastructure plan. These documents are meant to be blueprints to guide other planning and implementation efforts. Capital plans and programs that provide more detail, such as the plans suggested in the bill, change every year as circumstances change, mobility technology changes, and new research comes out. For example, San Francisco updates its high injury network every three years to reflect the most up-to-

date data on traffic safety trends. It is unreasonable and inflexible to hold cities and counties to a plan that is 25 years old. There would be no room for innovation and new information.

Finally, **California Government Code sections 830-835** already addresses liability for injuries caused by a dangerous condition. It is not clear how this bill would interact with this existing law.

For these reasons, we oppose this legislation unless it is amended to remove the cause of action and address the concerns mentioned above.

Departments Impacted & Why

In addition to the SFMTA, the San Francisco Planning Department leads the development of the General Plan, including the Transportation Element for the City. We are submitting this proposal in partnership.

Fiscal Impact

- The SFMTA would be required to develop new bicycle, pedestrian and traffic calming plans which requires significant time and resources.
- The creation of the cause of action could increase the number of lawsuits filed against the City by those injured in traffic collisions which could have significant financial impacts on the City.
- The San Francisco Planning Department is currently working on an update of the Transportation Element. If this bill passes, staff would likely have to delay its release and make changes to the draft, which would require additional staff time and resources.

Support / Opposition

Support:

Active San Gabriel Valley
California Bicycle Coalition
California Walks
California Yimby
Circulate San Diego
Climate Resolve
Consumer Attorneys of California
Culver City Democratic Club

League of Women Voters of California
City of Oakland
Streets are For Everyone
Streets for All

Oppose:

City of Colton
City of Fortuna
City of Lake Forest
City of Los Alamitos
City of Menifee
City of San Marcos
City of Yreka
South Bay Cities Council of Governments
Transportation Agency for Monterey County
(TAMC)
American Planning Association California
Chapter (Unless Amended)
California Association of Joint Powers
Authorities (Unless Amended)
California Association of Joint Powers
Authorities (CAJPA) (Unless Amended)
California State Association of Counties
(CSAC) (Unless Amended)

City of Buena Park (Unless Amended)
City of Downey (Unless Amended)
City of Indian Wells (Unless Amended)
City of La Mirada (Unless Amended)
City of Lakeport (Unless Amended)
City of Lakewood CA (Unless Amended)
City of Orinda (Unless Amended)
City of Pico Rivera (Unless Amended)
City of Rancho Cucamonga (Unless
Amended)
City of Rocklin (Unless Amended)
City of Thousand Oaks (Unless Amended)
City of Torrance (Unless Amended)
City of Vista (Unless Amended)
County of Santa Barbara (Unless Amended)
League of California Cities (Unless Amended)
Rural County Representatives of California
(RCRC) (Unless Amended)
Safer Streets LA (Unless Amended)
Torrance; City of (Unless Amended)
Town of Apple Valley (Unless Amended)
Urban Counties of California (Unless
Amended)

in the LA area while claiming the credit by filming in nearby cities like Santa Clarita. Additionally, Bay Area film stakeholders are not able to utilize the existing state credit program to attract additional productions from out of state. For those productions that choose to do significant filming in the Bay Area while completing the bulk of shooting outside of the state, the limited credit for filming here disincentivizes those productions from relocating the remainder of their production to California and using the state credit program.

Finally, local stakeholders are exploring the development of additional film production space to support the local industry's growth. Expanding incentives for productions to film in the Bay Area will be critical to the feasibility of new film production space in the region.

Solution/Recommended Proposal

To strengthen the value of the film credit program for the Bay Area film industry, the state film credit program should be amended to establish a 10% supplemental credit for filming conducted within the nine counties within the Bay Area. An expanded Bay Area film credit would encourage productions based in Los Angeles to spend additional time and money filming in Northern California. Such a credit would also incentivize tv series and films that are set in the Bay Area but shot outside of the state (in places like Vancouver, Georgia, and Australia) to relocate their entire productions to California.

This credit could be implemented through SB 485 by amending both Sections 17053.98(a)(4)(D) and Section 23698(a)(4)(D) of the Revenue and Taxation Code (Sections 1 and 2 of the legislation).

Departments Impacted & Why

Film SF/Film Commission would see an increase in productions filming in San Francisco if the bill is amended to include a Bay Area zone.

Fiscal Impact

Productions filming over 55% of their project in San Francisco would also qualify for the

Scene in San Francisco Rebate Program, funded by the General Fund. Productions could see rebates up to \$600k per film/tv series for qualified City expenses.

Support / Opposition

Support:

California IATSE Council
California Labor Federation, AFL-CIO
Entertainment Union Coalition
Motion Picture Association
Writers Guild of America West

Opposition: None Received

deployment and is designed to advance telecommunications carriers' business interests at the expense of the public. The SFPUC is concerned that the narrow focus of the study on regulatory barriers presumes that local permitting costs and approval timeframes inhibit investment in rural and disadvantaged communities. As a result of this assumption, the results of the study will not reflect the impacts of nonregulatory barriers on broadband deployment, including carriers' business interests or lack thereof in serving low-income tribal, urban, and rural customers, and disadvantaged and underserved communities.

Solution/Recommended Proposal

The SFPUC recommends an oppose position unless language is included to require that in addition to studying regulatory factors that may present barriers to or opportunities for broadband deployment in low-income tribal, urban, rural, disadvantaged, and underserved communities, that the study also consider the impact of carriers' business decisions including the perception of carriers that investment in these communities will not yield sufficient revenue to justify deployment.

Departments Impacted & Why

As this bill is a study bill, it will have no direct impact on City departments.

Fiscal Impact

As this bill is a study bill, it will not directly result in costs for City departments.

Support / Opposition

Support

- Bizfed Institute
- California Asian Pacific Chamber of Commerce
- California Emerging Technology Fund
- California Grocers Association
- California Hispanic Chambers of Commerce
- Central City Association of Los Angeles
- Crown Castle and Its Affiliates
- CTIA
- Los Angeles Area Chamber of Commerce

- Los Angeles County Business Federation
- Orange County Business Council
- Pasadena Chamber of Commerce and Civic Association
- Sacramento Hispanic Chamber of Commerce
- San Diego Regional Chamber of Commerce
- Silicon Valley Leadership Group
- T-mobile Usa, INC.
- Telacu
- The Bay Area Council
- The Wall Las Memorias Project
- Verizon Communications, INC. And its Affiliates

Oppose

- Safe Technology for Santa Rosa
- Wire Novato

Oppose Unless Amended

- California Brain Tumor Association
- Californians for Safe Technology
- Consumers for Safe Cell Phones
- Emf Safety Network
- Environmental Working Group
- Facts: Families Advocating for Chemical & Toxins Safety
- Napa Neighborhood Association for Safe Technology
- Nontoxic Schools
- Physicians for Safe Technology
- Safetech4santarosa.org
- Salmon Protection and Watershed Network
- Santa Rosa for Safe Technology



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Date Submitted	6/24/2022
Submitting Department	Office of Small Business
Contact Name	Kerry Birnbach
Contact Email	Kerry.birnbach@sfgov.org
Contact Phone	628-652-2552
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO X N/A

AB 2164
Asm. Lee, District 25, Democrat
Disability access: certified access specialist program:
funding

Recommended Position

- | | |
|---|---|
| <input type="checkbox"/> SPONSOR | <input checked="" type="checkbox"/> SUPPORT |
| <input type="checkbox"/> SUPPORT if amended | <input type="checkbox"/> OPPOSE |
| <input type="checkbox"/> OTHER & Describe | |

Summary

Current law requires that a City/County include an additional four-dollar fee to any business license, instrument, permit, or building permit to support disability access education and improvements. Ten percent of that fee goes to the Division of the State Architect's (DSA) Disability Access and Education Revolving Fund, to be used to support accessibility improvements in places of public accommodation. Local jurisdictions receive the other 90% of the fee. On January 1 2024, local jurisdictions will receive 70% of the fee, and the fee will decrease to one dollar.

This bill would remove the sunset date of the four-dollar fee, and remove the sunset of the 90% fee allocation going to local jurisdictions, making the business license/permit fee of \$4 permanent, and the 90% allocation to local jurisdictions permanent. AB 2164 would also require cities/counties to annually report total fees collected, total number of small businesses who received financial assistance and the amount of financial assistance

provided to the California Commission on Disability Access (CCDA).

Background/Analysis

The Certified Access Specialist Program (CASp), created in 2008, is a program that trains and certifies specialists in assessing whether a physical structure such as a school, park or shopping mall complies with the applicable disability access laws. The CASp is funded through a fee on local business licenses, permits, or equivalent instruments. In 2017, AB 1379 increased funding for CASp by increasing the fee from an additional \$1 to \$4 on each business license, permit, building permit, etc. It also increased the percentage of the fee that goes to local jurisdictions from 70% to 90%. The increased fee, and increased local allocation, will sunset on January 1, 2024.

Challenge

The Federal Americans with Disabilities Act states that "no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases, or leases to, or operates a place of public accommodation."

CASp helps to ensure accessibility in places of public accommodation, but because each place is unique, improvements to make a place accessible vary greatly. As such, each place of public accommodation requires its own inspection with specific recommendations.

San Francisco passed an Accessible Business Entrance Program (ABE) program to ensure that San Francisco businesses welcome everybody. Under ABE, commercial property owners of public-serving businesses need to confirm that the primary entrances are accessible to people with disabilities by submitting a checklist that outlines future improvements by June 30, 2022. CASp inspectors provide a checklist to properties after they conduct an inspection. Though checklists are required by June 30, 2022, property owners have more time to make the actual physical improvements. Small business tenants are sometimes responsible for improvements, depending on their lease agreements. As the deadline for ABE checklists near, many properties have still not completed an inspection.

In preparation for ABE program deadlines, the City has notified property owners of their responsibilities, sharing resources about CASp, and providing grants for CASp inspections.

Solution/Recommended Proposal

AB 2164 would secure funding for ongoing CASp inspections and outreach to property/business owners regarding ADA requirements and the ABE program deadlines. Ongoing funding is necessary to support the success of San Francisco's ABE program.

Departments Impacted & Why

Currently, the Mayor's Office on Disability, the Office of Small Business, and the Department of Building Inspection are working to notify commercial property owners and small business tenants of their responsibilities to comply with the ABE program. Outreach, CASp information, and grants to support inspections and improvements would be limited without ongoing funding.

Fiscal Impact

This would make the four-dollar building permit/instrument/ business license fee, and the 90% of that fee allocated to local jurisdictions, permanent.

Support / Opposition

Support:

City of San Jose
California Building Industry Association,
California Business Properties Association,
California Chamber of Commerce,
California Restaurant Association, Carlsbad
Chamber of Commerce, Cawa -
Representing the Automotive Parts Industry,
Corona Chamber of Commerce, Danville
Area Chamber of Commerce, El Dorado
County Chamber of Commerce, El Dorado
Hills Chamber of Commerce, Elk Grove
Chamber of Commerce, Family Business
Association of California, Folsom Chamber
of Commerce, Fountain Valley Chamber of
Commerce, Fremont Chamber of
Commerce, Fresno Chamber of Commerce,
Gilroy Chamber of Commerce, Greater
Conejo Valley Chamber of Commerce,
Greater High Desert Chamber of
Commerce, Imperial Valley Regional
Chamber of Commerce, LA Canada
Flintridge Chamber of Commerce, Laguna
Niguel Chamber of Commerce, Long Beach
Area Chamber of Commerce, Mission Viejo
Chamber of Commerce, National
Federation of Independent Business,
Newport Beach Chamber of Commerce,
Official Police Garages of Los Angeles,
Rancho Cordova Area Chamber of
Commerce, Roseville Area Chamber of
Commerce, San Jose Chamber of
Commerce, Santa Ana Chamber of
Commerce, Santa Clarita Valley Chamber
of Commerce, Santa Maria Valley Chamber
of Commerce, Simi Valley Chamber of
Commerce, Tulare Chamber of Commerce,
United Chamber Advocacy Network, Valley
Industry and Commerce Association, West
Ventura County Business Alliance.

Opposition: None



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Date Submitted	July 11, 2022
Submitting Department	Environment
Contact Nam	Freddy Coronado
Contact Email	Freddy.coronado@sfgov.org
Contact Phone	415-355-5107
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO X N/A

AB 2026 Asm. Friedman, District 43, Democrat, Recycling: plastic packaging

Recommended Position

- SPONSOR** **SUPPORT**
 SUPPORT if amended **OPPOSE**
 OTHER & Describe

Summary

This bill would require online (e-commerce) retailers that ship purchased products in or into California to reduce from 2023 levels the total weight and number of units of single-use plastic shipping envelopes, cushioning, and void fill used to ship or transport products by an unspecified percentage set by CalRecycle by 2030. The bill would establish exemptions from these requirements.

Background/Analysis

E-commerce retailers often ship products in packaging composed of single-use plastics, including pillows and other types of plastic fill. Expanded and extruded polystyrene – in the form of molded blocks and packaging peanuts – is widely used in e-commerce. These single-use plastic packaging types are usually not recyclable through local curbside recycling programs and frequently end up in landfills or littered in streets or waterways, costing municipalities and ratepayers and contaminating our environment.

Challenge

As there is no viable recycling market for flexible plastic packaging, these materials are typically landfilled, imposing significant costs on local governments and refuse haulers. In addition, common single-use plastic packing materials, including extended and extruded polystyrene, are derived from fossil fuels and are an important contributor to climate change.

Solution/Recommended Proposal

AB 2026 will help California reduce the disposal of single-use plastic packaging, including expanded and extruded polystyrene, derived from e-commerce. CalRecycle will set single-use plastic reduction goals, which online retailers will be required to meet by January 1, 2030. This legislation will exempt single-use plastic packaging and extended polystyrene used by e-commerce to ship raw and uncooked meat, medicine, insecticides, pesticides, and other products that must be packaged in single-use plastics and polystyrene from these reduction requirements.

Departments Impacted & Why

This bill would assist SF Environment toward its goals to reduce landfill disposal by 50% by 2030 and waste generation by 15% by 2030.

Fiscal Impact

This legislation has no known fiscal impact, especially as it relates to San Francisco. Less plastic packaging could help refuse rate payers reduce their volume of trash, potentially lowering refuse costs.

Support / Opposition

Supported by:

CALPIRG (sponsor)
Environment California (sponsor)
Oceana (sponsor)
1000 Grandmothers for Future Generations
350 Bay Area
350 Bay Area Action
350 Humboldt
350 Silicon Valley
350 Southland Legislative Alliance
350 Ventura County Climate Hub
Bay Area Youth Lobbying Initiative
California Environmental Voters
California Institute for Biodiversity
California Interfaith Power & Light
California Product Stewardship Council
California Wildlife Cen
Californians Against Waste
Center for Food Safety; the
Chop Wood Carry Water CA Newsletter
City and County of San Francisco
City of Pleasanton
Climate Reality Project, San Fernando Valley
Climate Reality Project, Silicon Valley
Defenders of Wildlife
East Bay Municipal Utility District
Greenpeace USA
Greentown Los Altos
Habits of Waste
Heal the Bay
Indivisible Alta Pasadena
Indivisible California Green Team
Indivisible South Bay LA
Interfaith Solidarity Network
League to Save Lake Tahoe
Lemon Frog Shop Vintage Bazaar
Marine Mammal Care Center LA
Mountain Lion Foundation
Napa Climate Now
National Stewardship Action Council
Natural Resources Defense Council (NRDC)
Northern California Recycling Association
Ocean Conservancy

Pacific Marine Mammal Center
Plastic Oceans International
Plastic Pollution Coalition
Sacramento Area Congregations Together
Sailors for The Sea
San Diego 350
San Diego Coastkeeper
Save Our Shores
Save the Albatross Coalition
Semco
Shark Stewards
Sierra Club California
The Center for Oceanic Awareness
The Refill Shoppe
Urban Ecology
Wholly H2o
Wildcoast
Wishtoyo Chumash Foundation
Zero Waste USA

Opposed by:

Air Conditioning, Heating and Refrigeration Institute
American Apparel & Footwear Association
American Chemistry Council
American Cleaning Institute
American Institute for Packaging and Environment (AMERIPEN)
Association of Home Appliance Manufacturers
Auto Care Association
California Business Roundtable
California Chamber of Commerce
California League of Food Producers
California Manufacturers & Technology Association
California Retailers Association
CAWA
Civil Justice Association of California
Consumer Technology Association
EPS Industry Alliance
Flexible Packaging Association
National Federation of Independent Business (NFIB)
National Marine Manufacturers Association
Personal Care Products Council
Plastics Industry Association
Pregis
Prezero Us, Inc.
Tekni-plex Industries
The Toy Association
Western Plastics Association

Departments Impacted & Why

N/A

Fiscal Impact

N/A

Support / Opposition

Support By:

Advancing New Standards in Reproductive Health

Planned Parenthood Affiliates of California

Opposed By:

None known



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Date Submitted	7/10/22
Submitting Department	Department on the Status of Women
Contact Name	Daisy Prado
Contact Email	Daisy.prado1@sfgov.org
Contact Phone	415-252-2570
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 2091

Asm. Bonta, District 18, Democrat

Disclosure of information: reproductive health and foreign penal civil actions

Recommended Position

- SPONSOR** **SUPPORT**
 SUPPORT if amended **OPPOSE**
 OTHER & Describe

derived from a provider of health care, health care service plan, pharmaceutical company, or contractor regarding a patient's medical history, mental or physical condition, or treatment.

Summary

AB 2091 enhances privacy protections in California for medical records related to abortion and pregnancy.

Challenge

Since the Supreme Court ruling on *Dobbs v. Jackson Women's Health Organization*, many states have already implemented abortion bans and experts estimate that up to 26 states will most likely implement a ban or severely restrict access to abortion.

This ruling overturned the protections granted under *Roe v. Wade*, making it necessary for states to double down on abortion access and health data privacy.

Background/Analysis

With the criminalization of abortion on the rise across the country, California is implementing safety guards to ensure that people who seek reproductive healthcare, including abortion services, are not prosecuted.

Solution/Recommended Proposal

AB 2091 revises the Reproductive Privacy Act to prohibit compelling a person to identify or provide information that would identify an individual who has sought or obtained an abortion in San Francisco or California at-large.

Existing law:

- 1) Establishes the Reproductive Privacy Act, which prohibits the state from denying or interfering with a woman's right to choose or obtain an abortion, or when the abortion is necessary to protect the life or health of the woman.
- 2) Defines, for purposes of the Confidentiality of Medical Information Act (CMIA), medical information to mean any individually identifiable information, in electronic or physical form, in possession of or

The bill would also give the Insurance Commissioner authority to assess a civil penalty, as specified, against an insurer that has disclosed an insured's confidential medical information.

Lastly, the bill would prohibit a provider of health care, a health care service plan, or a contractor from releasing medical information related to an individual seeking or obtaining an abortion in response to a subpoena from a state hostile towards abortion access.

AB 2091 has an urgency statute that would make it take effect immediately upon enactment.

Departments Impacted & Why

N/A

Fiscal Impact

According to the Assembly Appropriations Committee, no costs to the California Department of Insurance to consider whether an insurance provider violated the provisions of this bill and assess a civil penalty, if appropriate.

Support / Opposition

Supported By:

Planned Parenthood Affiliates of California
(co-sponsor)
Equality California (co-sponsor)
American College of Obstetricians and
Gynecologists District IX
Attorney General Rob Bonta
California Academy of Family Physicians
California Nurse Midwife Association
California Nurses Association
California Pan-Ethnic Health Network
City of Los Angeles
Electronic Frontier Foundation
Eleni Kounalakis – Lieutenant Governor of
California
NARAL Pro-Choice California
National Association of Social Workers,
California Chapter
Oakland Privacy
Santa Barbara Women Lawyers
Stronger Women United

Opposed By:

Concerned Women for America Legislative
Action Committee
Right to Life League
Right to Life League of Southern California



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Date Submitted	7/10/22
Submitting Department	Department on the Status of Women
Contact Name	Daisy Prado
Contact Email	Daisy.prado1@sfgov.org
Contact Phone	415-252-2570
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 2223 Asm. Wicks, District 15, Democrat Reproductive Health

Recommended Position

- SPONSOR SUPPORT
 SUPPORT if amended OPPOSE
 OTHER & Describe

In recent years, two women were charged with murder after having stillbirths in California.

Summary

AB 2223 protects people from prosecutions and criminalization of abortion or pregnancy loss. It also protects patients that self-manage their abortion.

Solution/Recommended Proposal

According to the bill author, AB 2223 protects reproductive freedom by clarifying that the Reproductive Privacy Act prohibits a person from being investigated, prosecuted, or incarcerated from ending a pregnancy or experiencing a pregnancy loss. It would also remove outdated provisions requiring coroners to investigate certain pregnancy losses and ensure that information collected about pregnancy loss is not used to target people through criminal or civil legal systems.

Background/Analysis

In response to two women being imprisoned for pregnancy losses in California, this bill seeks to further clarify and strengthen protections in existing state law that prohibit civil or criminal liability for the acts of a pregnant person in relation to their pregnancy outcomes.

This bill states that person shall not be subject to civil or criminal liability or penalty based on their actions or omissions with respect to their pregnancy or actual, potential, or alleged pregnancy outcome, including miscarriage, stillbirth, or abortion, or perinatal death due to causes that occurred in utero.

California's existing state law does not criminalize a person's own actions that might result in a pregnancy loss. It also provides that all people have the right to privacy.

Challenge

The Supreme Court ruling on *Dobbs v. Jackson Women's Health Organization*, overturned the protections granted under *Roe v. Wade*, making it necessary for states to double down the rights of pregnant people and reproductive freedom.

Departments Impacted & Why

This bill impacts the Chief Medical Examiner's Office by changing statutes related to coroner's duties regarding fetal deaths.



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Fiscal Impact

According to the Assembly Appropriations Committee, cost pressures (Trial Court Trust Fund) in the mid-hundreds of thousands of dollars for trial courts to hear and adjudicate civil actions for any alleged violations of existing abortion protections.

Support / Opposition

SUPPORTED BY:

- ACLU California Action (sponsor)
- Black Women for Wellness Action Project (sponsor)
- California Latinas for Reproductive Justice (sponsor)
- If/When/How: Lawyering for Reproductive Justice (sponsor)
- NARAL Pro-choice California (sponsor)
- Planned Parenthood Affiliates of California (sponsor)
- Access Reproductive Justice
- American Association of University Women
- American College of Obstetricians and Gynecologists District IX
- Asian Americans Advancing Justice – California
- California Coalition for Women Prisoners
- California for Safety and Justice
- California Nurse Midwives Association (CNMA)
- California Women's Law Center
- Californians United for a Responsible Budget
- Citizens for Choice
- Courage California
- Culver City Democratic Club
- Disability Rights California
- Ella Baker Center for Human Rights
- Fund Her
- Initiate Justice

- Lieutenant Governor Eleni Kounalakis
- National Center for Youth Law
- National Health Law Program
- Physicians for Reproductive Health
- Public Health Advocates
- Smart Justice California
- Stronger Women United
- Survived & Punished
- Tides Advocacy
- Urge: Unite for Reproductive & Gender Equity
- Voices for Progress Education Fund
- Women's Foundation California
- And others

OPPOSED BY:

- Americans United for Life
- California Capitol Connection
- California Family Council
- California ProLife Council
- Californians for Life
- Capitol Resource Institute
- Catholic Families 4 Freedom CA
- Concerned Women for America
- Defending Constitutional Rights
- Pacific Justice Institute
- Real Impact
- Right to Life League
- Right to Life of Kern County
- Siskiyou Conservative Republicans
- The American Council for Evangelicals
- The Center for Bio-Ethical Reform
- The National Center for Law & Policy
- The Salt and Light Council
- The Turning Point Church
- Traditional Values for Next Generations
- And others



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grants to nonprofit organizations that assist pregnant people who are low income or face other financial barriers with direct practical support service to access and obtain an abortion, to nonprofits that provide abortion services to those persons, and to public research institutions in California that conduct research on reproductive health, law, and policy.

California Health + Advocates
California Latinas for Reproductive Justice
California Medical Association
California Nurse Midwives Association
California Women's Law Center
Essential Access Health
Having Our Say Coalition
National Center for Youth Law
National Health Law Program
Nevada County Citizens for Choice
Women's Foundation California

Departments Impacted & Why

N/A

Fiscal Impact

N/A

Support / Opposition

Supported by:
NARAL Pro Choice (*Sponsor*)
Planned Parenthood Affiliates of California (*Sponsor*)
ACCESS Reproductive Justice
American College of Obstetricians and Gynecologists District IX

Opposed by:
California Catholic Conference
Californians for Life
Capitol Resource Institute
Life Legal Defense Foundation
Right to Life League of Southern California



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SB 1245 gives LA County authorization to use the funds to implement its recommendations pertaining to sexual and reproductive healthcare, including training to health care workers and abortion providers, and will coordinating care and patient support services.

Opposition By:
California Catholic Conference
Fieldstead and Company, INC.
Right to Life League of Southern California

The bill would also require LA County to provide an annual report to the Legislature on the projects and collaborations funded by the pilot program.

Departments Impacted & Why

N/A

Fiscal Impact

According to the Senate Appropriations Committee, this bill would have indeterminate significant cost pressures to California's General Fund. Although this bill contemplates a single pilot program in LA County, to the extent the pilot is expanded to other counties, or is made permanent in either the pilot county, counties, or statewide, the General Fund would fund it.

Support / Opposition

Support By:
Planned Parenthood Affiliates of California (sponsor)
ACCESS Reproductive Justice
American College of Obstetricians and Gynecologists District IX
California Academy of Family Physicians
California Latinas for Reproductive Justice
California Nurse Midwives Association
California Nurses Association
California Women's Law Center
Los Angeles County
Los Angeles County District Attorney's Office
NARAL Pro-choice California
National Center for Youth Law
Planned Parenthood Advocacy Project Los Angeles County
Women's Foundation California

further clarified to state that the local hearing waiver is only applicable where the project does not include any expansion of the existing envelope of a dwelling unit (the bill already specifies that projects including the addition of new units are not eligible for the waiver) or to specify that the waiver does not apply in cases of demolition or merger of existing units.

Departments Impacted & Why

If the bill were to pass in its existing form, projects that would otherwise be subject to a Conditional Use approval could waive that by claiming the demolition or unit merger is required to accommodate additional bedrooms. This would remove a key tool for the City in applying oversight to these cases. The Planning and Building Departments would be most impacted.

Fiscal Impact

n/a

Support / Opposition

Support: California Rental Housing Association (Sponsor); Apartment Association of Greater Los Angeles; Apartment Association of Orange County; Berkeley Property Owner's Association; California Apartment Association; California Association of Realtors; California YIMBY; City of Santa Monica; City of Santa Rosa; East Bay Rental Housing Association; Nor Cal Rental Property Association; North Valley Property Owners Association; San Francisco Bay Area Planning & Urban Research Association (SPUR); Santa Barbara Rental Property Association; Small Property Owners of San Francisco; Southern California Rental Housing Association.

Oppose: City of Santa Clarita; San Francisco Land Use Coalition; South Bay Cities Council of Governments; 1 Individual