



## STATE LEGISLATION COMMITTEE

Wednesday, April 14, 2021

11:00am – 1:00pm

Join online at:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ec91bafcec328fa41e4d3d13e981ee891>

**Meeting ID:** 187 337 1645 / **Meeting Password:** TPsQnJMg649

**Join by Phone at** 415-655-0001

*(Public Comment Instructions available on page 9)*

### MEMBERS:

Mayor's Office (Chair) -- Edward McCaffrey

Supervisor Dean Preston -- Jen Snyder

Supervisor Connie Chan -- Ian Fregosi

Assessor's Office -- Holly Lung

City Attorney's Office -- Mary Jane Winslow

Controller's Office -- Dan Kaplan

Treasurer's Office -- Amanda Fried

### AGENDA

#### I. ROLL CALL

**II. APPROVAL OF MEETING MINUTES (Action Item).** Discussion and possible action to approve the minutes from the meeting of March 10, 2021.

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

**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.

### Unfinished Business

*Continued from the March 10, 2021 meeting*

### Treasurer & Tax Collector

Presenter: Eric Manke

1. SB 586 (Bradford) Criminal fees.

*Recommended Position: Support*

This bill would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system.

## **New Business**

### **Treasurer & Tax Collector**

Presenter: Jacob DuMez

2. AB 1338 (Low) Public social services programs: financial assistance demonstration and research programs.

*Recommended Position: Support*

This bill will exempt unconditional cash payments from a pilot or research program from interfering with recipients' eligibility for state social safety net benefits (CalWORKs and CalFresh) and state tax calculations affecting Earned Income Tax Credit (EITC).

### **Human Rights Commission**

Presenter: Joseph Sweiss

3. AB 412 (Reyes) California Commission on Human Rights

*Recommended Position: Support*

This bill would establish the California Commission on Human Rights, an advisory committee tasked with reviewing the status of human rights across California and providing periodic reports and policy recommendations.

### **San Francisco Public Utilities Commission**

Presenter: Megan Scott & Sarah Fields

4. AB 758 (Nazarian) Marks-Roos Local Bond Pooling Act of 1985: electric utilities: rate reduction bonds.

*Recommended Position: Support*

This bill will allow the state of California's 45 Publicly Owned electric Utilities (POUs) to use rate reduction bonds as a low-cost financing tool, already available to water and wastewater agencies and to investor-owned utilities (IOUs), thereby allowing customers to financially conserve.

5. SB 612 (Portantino) Electrical corporations and other load-serving entities: allocation of legacy resources.

*Recommended Position: Support*

This bill aims to create fair and equal access to the benefits of legacy contract resources for all customers and ensures that Investor-owned utilities (IOUs) portfolios are managed to maximize value and reduce unnecessary costs for all customers.

## Department on the Status of Women

Presenter: Elizabeth Newman

6. SB 24 (Caballero) Domestic violence: protective orders: information pertaining to a child.

*Recommended Position: Support*

This bill would close a gap in the implementation of existing protections against a third party's disclosures of a minor's protected information under a domestic violence restraining order by providing courts the ability to restrict an abusive partner from accessing records and information pertaining to the health care, education, childcare, recreational activities, or employment of a minor child of the parties.

7. SB 331 (Leyva) Settlement and nondisparagement agreements.

*Recommended Position: Support*

This bill would expand protections against discrimination and harassment cover-ups by prohibiting non-disclosure and non-disparagement agreements (NDA) that limit workers' ability to speak out about harassment and discrimination in the workplace, whether due to race, sexual orientation, religion, age or any other characteristic.

## San Francisco Municipal Transportation Agency

Presenter: Jadie Wasilco

8. AB 550 (Chiu) Vehicles: speed safety system pilot program.

*Recommended Position: Sponsor*

This bill directs the Secretary of the California State Transportation Agency (CalSTA) to bring together a stakeholder working group to establish program guidelines for the piloting of two speed safety camera programs: one on dangerous local streets and the other in active state or local works zones. Pilot programs must comply with the State's guidelines to be implemented.

9. AB 859 (Irwin) Mobility devices: personal information.

*Recommended Position: Oppose unless amended*

This bill would remove a public agency's existing authority to collect deidentified shared mobility device data, and only authorize them to collect anonymized data, as defined, from shared mobility devices, including from shared bicycles, scooters, transportation network companies (TNCs), and autonomous vehicles (AVs).

10. AB 917 (Bloom) Vehicles: video imaging of parking violations.

*Recommended Position: Support*

This bill will expand state law to allow all transit agencies in California to install forward-facing cameras on buses to capture images of vehicles and cite those that park in transit-only lanes, bus stops, and transit stations. AB 917 is modeled after the successes of Muni and AC Transit's existing camera enforcement programs and aims to improve travel time and reliability.

## **Department of Public Health & Human Services Agency**

Presenter: Max Gara & Susie Smith

### **11. AB 368 (Bonta) Food prescriptions.**

*Recommended Position: Support*

This bill aims to directly address racial and ethnic health disparities, combat chronic disease, and reduce rates of food and nutrition insecurity among Medi-Cal enrollees by establishing a two-year, food prescription pilot in partnership with the Medi-Cal managed care plans in three counties, including the County of Alameda.

## **Department of Public Health**

Presenter: Max Gara

### **12. AB 369 (Kamlager) Medi-Cal: persons experiencing homelessness.**

*Recommended Position: Support and amend*

This bill will increase access to health and social services for people experiencing homelessness (PEH) by adding Medi-Cal coverage of services provided outside of traditional medical facilities (e.g. street medicine), reducing Medi-Cal enrollment barriers for PEH, and improving Medi-Cal coverage for COVID-19 related health services.

### **13. AB 831 (Davies) Licensed facilities: duties.**

*Recommended Position: Support and amend*

This bill increases access to the opioid overdose reversal drug Naloxone by requiring substance use residential treatment facilities to keep the drug onsite and train staff in its administration. Amendments are sought to also apply the bill's provisions to mental health residential treatment facilities.

## **Human Services Agency**

Presenter: Susie Smith

### **14. AB 396 (Gabriel) CalFresh: educational programs.**

*Recommended Position: Support*

This bill would greatly expand the number of students receiving CalFresh benefits by requiring higher education programs that qualify under the Employment and Training (E&T) Services Program CalFresh student exemption to be certified by the State Department of Social Services by June of 2022.

### **15. AB 640 (Cooley) Extended foster care: eligibility redetermination.**

*Recommended Position: Support*

This bill would bolster funding for Extended Foster Care (EFC) provided to non-minor dependents (NMDs) under AB 12 (Beall and Bass, Statutes of 2010). This bill would allow counties to establish federal Title IV-E funding eligibility for previously non-federal cases as a foster youth enters the EFC program. This would give counties some relief from the costs we incur today.

### **16. AB 808 (Stone) Children's Crisis Continuum Pilot Program.**

*Recommended Position: Support*

This bill creates the Children's Crisis Continuum Pilot Program to meet the needs of youth with complex care needs who have historically been sent out-

of-state for treatment. AB 808 will create an integrated continuum of intensive and highly individualized treatment settings to support stabilization and step-down to home-based care.

**17. AB 911 (Nazarian) Long-term services and supports.**

SB 515 (Pan) Long-term services and supports.

*Recommended Position: Support*

These bills would establish the California Long-Term Services and Supports Benefits Board (LTSS Board) to invest in long-term services and supports for older adults and adults with disabilities.

**18. SB 464 (Hurtado) California Food Assistance Program: eligibility.**

*Recommended Position: Support*

This bill would expand the California Food Assistance Program (state-level SNAP) for non-citizens, assuming other eligibility criteria are met.

**Department of the Environment**

Presenter: Katie Chansler

**19. AB 96 (O'Donnell) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.**

*Recommended Position: Support*

This bill would extend the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty (HD) truck technology until December 31, 2026.

**20. AB 111 (Horvath) Transportation: zero-emission vehicles.**

*Recommended Position: Support*

This bill requires the implementation of a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- (MD) and heavy-duty (HD) vehicle parking and electric vehicle (EV) charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles.

**21. AB 564 (Lorena Gonzalez) Biodiversity Protection and Restoration Act.**

*Recommended Position: Support*

This bill would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in their work.

**22. AB 1200 (Ting) Plant-based food packaging: cookware: hazardous chemicals.**

*Recommended Position: Support*

This bill would ban the use of fluorinated chemicals from food packaging and require any durable cookware that claims to eliminate one fluorinated chemical to disclose whether any other fluorinated chemical is present.

**23.** AB 1454 (Bloom) The California Beverage Container and Litter Reduction Act.

*Recommended Position: Support*

This bill would return to and sustain 80% or better recycling of all beverage containers in all regions of the state by using existing resources to provide targeted financial incentives to recyclers based on surveyed need.

**24.** SB 207 (Dahle) Photovoltaic Recycling Advisory Group.

*Recommended Position: Support if amended.*

This bill requires the Secretary for Environmental Protection to establish a Photovoltaic Recycling Advisory Committee consisting of specified members to review and advise the legislature on policies intended to recycle and recover photovoltaic panels and their components.

**25.** SB 260 (Wiener) Corporate Climate Accountability Act.

*Recommended Position: Support*

This bill would require major corporations who do business in California and make over \$1 billion annually to publicly disclose their full carbon emissions to the State and the public in an understandable and accessible way. Corporations would then have to submit "science-based" reduction plans that must be approved by both a third-party auditor and the state.

**26.** SB 372 (Leyva) Medium- and heavy-duty fleet purchasing assistance program: zero-emission vehicles.

*Recommended Position: Support*

This bill would require the California Pollution Control Financing Authority to establish a program to make financing tools and nonfinancial supports available to the operators of medium- (MD) and heavy-duty (HD) vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles.

**27.** SB 619 (Laird) Organic waste: reduction regulations.

*Recommended Position: Oppose unless amended*

The bill would delay until an unspecified year the implementation of statewide law to reduce short-lived climate pollutants, including organics going to landfill.

## **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.

## **VI. ADJOURNMENT**

### **Disability Access**

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### **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](mailto: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](http://www.sfgov.org/sunshine.htm).

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### **Cell Phones and Pagers**

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### **Public Comment**

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### **Document Review**

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### **Health Considerations**

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## **April 14 2021, State Legislation Committee**

### **View the meeting:**

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ec91bafcec328fa41e4d3d13e981ee891>

NOTE: Depending on your broadband/WIFI connection, there may be a 30-second to 2-minute delay when viewing the meeting live.

**PUBLIC COMMENT CALL-IN:** 415-655-0001 Access code: 187 337 1645

After entering the access code, press # twice to listen to the meeting *(There is no delay when listening to the meeting using this number.)*

### **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.



**STATE LEGISLATION COMMITTEE  
DRAFT MINUTES**

**Wednesday, March 10, 2021**

**11:00am – 1:00pm**

**Join online [HERE](#)**

**Meeting ID: 187 574 3468 / Meeting Password: JYyHu8Fr4j6**

**Join by Phone at 415-655-0001**

*(Public Comment Instructions available on page 7)*

**MEMBERS:**

Mayor's Office (Chair) -- Edward McCaffrey  
Supervisor Dean Preston -- Jen Snyder  
Supervisor Connie Chan -- Ian Fregosi  
Assessor's Office -- Holly Lung  
City Attorney's Office -- Mary Jane Winslow  
Controller's Office -- Dan Kaplan  
Treasurer's Office -- Eric Manke

*Meeting commenced at 11:08am.*

**AGENDA**

**I. ROLL CALL**

**Present:** Edward McCaffrey, Jen Snyder, Ian Fregosi, Holly Lung, Dan Kaplan, and Eric Manke

**Absent:** Mary Jane Winslow

**II. APPROVAL OF MEETING MINUTES (Action Item).** Discussion and possible action to approve the minutes from the meeting of February. 17, 2021

No public comment.

Motion to approve: Edward McCaffrey

Seconded by: Dan Kaplan

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.

**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: Jadie Wasilco

- 1.** AB 43 (Friedman) Traffic safety.

*Recommended Position: Support*

This bill would provide local jurisdictions flexibility in setting speed limits lower than the what is determined by the 85th percentile methodology, as determined by an engineering and traffic survey, on roads on the High Injury Network, in business activity districts, and near vulnerable populations, such as senior centers.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

### **City Administrator – Office of the County Clerk**

Presenter: Tal Quetone

- 2.** AB 583 (Chiu) Remote marriage license issuance and solemnization.

*Recommended Position: Support*

This bill authorizes a county clerk to issue a marriage license, solemnize, or witness a marriage ceremony using remote technology between January 1, 2022 and January 1, 2024.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Dan Kaplan

Approved: 6-0

### **Department of the Environment**

Presenter: Katie Chansler

- 3.** AB 332 (Committee on Environmental Safety and Toxic Materials) Hazardous waste: treated wood waste: management standards.

*Recommended Position: Support*

This bill would reinstate the California Department of Toxic Substances Control's (DTSC's) alternative management standards for treated wood waste (TWW), which regulated the handling of TWW until 12/31/2020.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

**4. AB 622 (Friedman) Washing machines: microfiber filtration.**

*Recommended Position: Support*

This bill would require that, on or before January 1, 2024, all washing machines sold as new in the state of California shall contain a microfiber filtration system with a mesh size of 100 microns or smaller. This will be added as Chapter 10 to Part 15 of Division 104 of the Health and Safety Code.

No public comment.

Motion to Support: Holly Lung

Seconded by: Dan Kaplan

Approved: 6-0

**5. AB 652 (Friedman) Product safety: juvenile products: chemicals: perfluoroalkyl and polyfluoroalkyl substances.**

*Recommended Position: Support*

This bill prohibits the sale or distribution of any new, not previously owned, juvenile product that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS) above a certain detectable level. It also establishes requirements for manufacturers replacing PFAS chemicals in juvenile products.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Jen Low

Approved: 6-0

**6. AB 1201 (Ting) Solid waste: plastic products: labeling: compostability and biodegradability.**

*Recommended Position: Support if Amended*

This bill would prohibit a person from selling a plastic product that is labeled with the term "compostable," "home compostable," or "soil biodegradable" unless the product meets specified standards and satisfies specified criteria.

No public comment.

Motion to Support if Amended: Eric Manke

Seconded by: Edward McCaffrey

Approved: 6-0

**7. AB 1276 (Carrillo) Single-use food accessories.**

*Recommended Position: Support*

This bill would prohibit a food facility or a third-party food delivery platform from providing single-use food accessories to consumers unless requested by the consumer, or unless necessary to protect public health and safety or safe delivery.

No public comment.

Motion to Support: Jen Snyder

Seconded by: Ian Fregosi

Approved: 6-0

- 8.** SB 244 (Archuleta) Lithium-ion batteries: illegal disposal: fire prevention.

*Recommended Position: Support*

This bill would require the California Department of Resources Recycling and Recovery (CalRecycle) to develop guidance for the public on proper disposal of loose lithium-ion batteries and products containing lithium-ion batteries (laptops, tablets, power tools, mobility devices like e-scooters and e-bikes, etc).

No public comment.

Motion to Support: Holly Lung

Seconded by: Edward McCaffrey

Approved: 6-0

- 9.** SB 289 (Newman) Recycling: household batteries.

*Recommended Position: Support if Amended*

This bill as currently written would require the California Department of Resources Recycling and Recovery (CalRecycle) to undertake a study on the disposal and recyclability of household batteries including lithium-ion batteries linked to a statewide increase in solid waste vehicle and facility fires.

No public comment.

Motion to Support: Eric Manke

Seconded by: Dan Kaplan

Approved: 6-0

### **Treasurer & Tax Collector**

Presenter: Michelle Lau

- 10.** SB 586 (Bradford) Criminal fees.

*Recommended Position: Support*

This bill would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system.

No public comment.

Motion to Continue to April Meeting: Edward McCaffrey

Seconded by: Eric Manke

Approved: 6-0

## **Department on the Status of Women**

Presenter: Elizabeth Newman

- 11.** SB 23 (Rubio) Disorderly conduct: distribution of intimate images: statute of limitations.

*Recommended Position: Support*

This bill extends the statute of limitations for victims of revenge porn, which involves the nonconsensual posting of private or intimate photos or videos.

SB 23 would give victims up to a year after discovery to seek charges against the perpetrators.

No public comment.

Motion to Support: Eric Manke

Seconded by: Dan Kaplan

Approved: 6-0

- 12.** SB 373 (Min) Consumer debt: economic abuse.

*Recommended Position: Support*

This bill will prohibit debt collectors from being able to collect from a domestic violence survivor, elder abuse survivor, or foster youth when the debt is deemed to be coerced debt and will prohibit consumer credit reporting agency from reporting debts that are a result of this abuse.

No public comment.

Motion to Support: Holly Lung

Seconded by: Edward McCaffrey

Approved: 6-0

## **Office of Economic and Workforce Development**

Presenters: Ryan Young and Amabel Akwa Asare

- 13.** AB 628 (Garcia) Breaking Barriers to Employment Initiative.

*Recommended Position: Support*

This bill is a reintroduction of the Breaking Barriers to Employment Act (previously AB 1111) and has committed to asking for another \$50 million in General Funds from the State of California to go towards the program.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

**14. SB 61 (Hurtado) Workforce training programs: supportive services.**

*Recommended Position: Support*

This bill would require the California Workforce Development Board (Board) to establish and administer the Lifting Families Out of Poverty Supportive Services Program, which would require the board to make \$50,000,000 in grants available to consortia, composed of combinations of local workforce development boards, community colleges, or other stakeholders, that apply for funding to provide supportive services.

No public comment.

Motion to Support: Holly Lung

Seconded by: Jen Low

Approved: 6-0

**Department of Public Health**

Presenter: Max Gara

**15. AB 32 (Aguiar-Curry) Telehealth.**

*Recommended Position: Support*

This bill would require health care services delivered through telehealth to be reimbursed by Medi-Cal on the same basis, to the same extent, and at the same payment rate as those services are reimbursed if delivered in person. The bill would also prohibit the State Department of Health Care Services from restricting the provision and reimbursement for services furnished through telehealth.

No public comment.

Motion to Support: Eric Manke

Seconded by: Dan Kaplan

Approved: 6-0

**16. SB 57 (Wiener) Controlled substances: overdose prevention program.**

*Recommended Position: Support*

This bill would allow San Francisco, along with Los Angeles County and Oakland, to open overdose prevention programs, also referred to as safe consumption sites, in its jurisdiction in order to address the significant rise of overdose deaths.

No public comment.

Motion to Support: Edward McCaffrey

Seconded by: Ian Fregosi

Approved: 6-0

**V. GENERAL PUBLIC COMMENT**

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No Public Comment.

**VI. ADJOURNMENT**

*Meeting concluded at 12:41pm.*

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Date Submitted	2/26/2021
Submitting Department	Office of the Treasurer and Tax Collector
Contact Name	Amanda Fried
Contact Email	<a href="mailto:amanda.fried@sfgov.org">amanda.fried@sfgov.org</a>
Contact Phone	415-554-0889
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

**SB 586**  
**Sen. Bradford, District 35, Democrat**  
**Criminal fees**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
 OTHER & Describe

**Summary**

Senate Bill 586 would end the assessment and collection of 60 administrative fees imposed against people in the criminal legal system. SB 586 builds on Assembly Bill 1869, which abolished 23 administrative fees in the criminal system, was based on the successful first in the nation San Francisco fee elimination that preceded this bill, and was signed into law by the Governor in the last legislative session.

SB 586 will dramatically reduce the suffering caused by court-ordered debt and enhance the economic security of system-involved populations, ushering in an era of more just criminal justice policy that does not rely on stripping wealth from communities of color and low-income communities.

**Background/Analysis**

Each year, California counties place hundreds of thousands of people in the criminal legal system. Currently, California law permits counties to charge people administrative fees for diversion programs, drug and alcohol testing, civil assessments, record sealing, and even a fee for being put on a payment plan. These fees can quickly add up to thousands of dollars for a single person and pose significant barriers to reentry. Unpaid fees can be enforced via

wage garnishment, bank levy, and tax refund intercept.

For example, in criminal and traffic court, a single missed court date causes the immediate imposition of a \$300 civil assessment fee, easily doubling the amount of fines and fees owed. The fee is extremely difficult to get rid of and remains in place even if the underlying case is dismissed. Processing and other add ons often add an additional \$15 or \$20 dollars.

Last session, the Governor signed Assembly Bill 1869, which abolishes 23 administrative fees in the criminal system effective July 1, 2021.

In 2018, San Francisco became the first county in the nation to stop charging these fees to people who are exiting jail and the criminal justice system. The legislation was unanimously approved by the Board, and had the support of leaders across our city, including our Mayor, Public Defender, District Attorney, Chief of Probation, and Sheriff. Since then, Alameda County, Contra Costa County, and Los Angeles County have also eliminated local criminal administrative fees.

**Challenge**

After years of research on fines and fees in California, including a review of state law, county policies and practices, state and local data, and the experiences of individuals in the criminal justice system, the Debt Free Justice California Coalition has found that these fees are unjust, high pain and low gain.

High Pain: These fees are burdensome and create financial hardship and limit employment prospects for individuals seeking to reenter their communities. The fees disproportionately harm low-income people and people of color.

Low Gain: Counties are authorized to charge administrative fees to pay for costs associated with the justice system. Yet counties net little revenue from these fees. For example, in Alameda County, the rate of collection on probation supervision fees was just four percent. Similarly, in San Francisco, the Office of the Treasurer and Tax Collector found that more than 80 percent of the fees went unpaid. Because of the high costs and low returns associated with trying to collect fees from low-income people, most of the fee revenue pays for collection activities. Further, a benefit-cost analysis by researchers at U.C. Berkeley found that fee debt can cause families to spend less on positive social goods, such as education and preventative healthcare, which imposes long term costs on families, communities, and society by prolonging and exacerbating poverty.

#### Solution/Recommended Proposal

SB 586 would build on AB 1869 and end the assessment and collection of 60 administrative fees that are imposed against people in the criminal legal system. Specifically, this bill would:

- Repeal the authority to collect most criminal administrative fees and make the unpaid balance of any most court-imposed costs unenforceable and uncollectible and would require any portion of a judgment imposing those costs to be vacated.
- Delete the authority of the court to impose liens on the defendant's property and make a post-trial determination of the defendant's ability to pay and to order the defendant to pay the costs of the public defender.
- Repeal the authority of the court to impose a civil assessment of up to \$300 against a defendant who fails to pay all

or any portion of a fine ordered by the court.

- If the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

#### Departments Impacted & Why

Approximately 60 fees will be eliminated by this legislation. The vast majority of these fees are collected by local courts and any revenues collected are passed on the state or cover collections costs at the court. There may be a small number of fees where funds come to City and County departments. Research is ongoing to identify if these exist.

#### Fiscal Impact

See above.

#### Support / Opposition

##### Supported by:

A New Way of Life (co-sponsor)  
All of Us or None (co-sponsor)  
American Civil Liberties Union (co-sponsor)  
Anti-Recidivism Coalition (co-sponsor)  
East Bay Community Law Center (co-sponsor)  
Ella Baker Center for Human Rights (co-sponsor)  
Homeboy Industries (co-sponsor)  
Insight Center for Community Economic Development (co-sponsor)  
Legal Services for Prisoners with Children (co-sponsor)  
PolicyLink (co-sponsor)  
San Francisco Financial Justice Project (co-sponsor)  
San Francisco Public Defender (co-sponsor)  
Western Center on Law and Poverty (co-sponsor)  
Youth Justice Coalition (co-sponsor)

##### Opposed by:

None on record

Date Submitted	3/29/21
Submitting Department	OFE/Treasurer's Office
Contact Name	Jacob DuMez
Contact Email	<a href="mailto:jacob.dumez@sfgov.org">jacob.dumez@sfgov.org</a>
Contact Phone	415-554-4868
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 1338**  
**Asm. Low, District 28, Democrat**  
**Public social services programs: financial assistance**  
**demonstration and research programs**

**Recommended Position**

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

**Summary**

AB 1338 will exempt unconditional cash payments from a pilot or research program from interfering with recipients' eligibility for state social safety net benefits (CalWORKs and CalFresh) and state tax calculations affecting Earned Income Tax Credit (EITC).

**Background/Analysis**

Over recent years, the changing economy has concentrated wealth more and more in the hands of the few, not just in the United States (U.S), but around the world. In the U.S., this inequality is having a significant impact of communities of color as it has been stacked on top of historically and structurally reinforced systems that concentrate wealth among white Americans. To address the impact on people and the economy, many countries are beginning to explore guaranteed income.

Guaranteed income payments are distributed to residents regardless of employment, unconditionally, with no restrictions on how the money is spent. The San Francisco Office of Financial Empowerment, joined by the Department of Public Health, Human Services Agency, Office of Economic and Workforce Development, Arts Commission, and other

Departments have increasingly been supporting, developing, and/or implementing guaranteed income programs, and protecting recipient benefits is a crucial barrier to program implementation and success. Supervisor Haney recently introduced legislation creating the San Francisco Guaranteed Income Taskforce, which will kick off on April 16<sup>th</sup>.

Pilots for guaranteed income have been done in Finland, the Netherlands, and Canada. In the U.S., the State of Alaska gives residents a dividend of anywhere from \$300 to \$2,000 each year from the state's Permanent Fund—monies derived from oil revenues and invested by a state-owned corporation.

In California, the City of Stockton experimented with a form of guaranteed income by giving a select group of 125 mostly low-income residents a grant of \$500 per month for 24 months. Initial data from the Stockton Economic Empowerment Demonstration (SEED) show that recipients, by and large, spend the money on essentials like food, clothing, and utility bills. Earlier this month, SEED released its preliminary findings from the first year of the experiment which show unconditional cash enabled recipients to find full-time employment and recipients were healthier, showing less depression and anxiety.

Recently, the city of Compton launched the Compton Pledge, which will pay \$300 to \$600 a month to 800 Compton residents for two years. In addition to robust guaranteed income work in San Francisco, other California cities like Oakland, Los Angeles, Long Beach, South San Francisco, Santa Cruz, and West Hollywood are exploring guaranteed income programs too.

Guaranteed income would ensure that all Californians have enough to get by - this would include those stitching together part-time work, those engaged in unpaid work like childcare, and those pursuing further education. It would also provide those with full employment with the security of knowing they would continue to receive unconditional income even if they were to lose their job.

### **Challenge**

The global COVID-19 pandemic and resulting economic crisis has sparked renewed interest in providing residents with a guaranteed income payment as a solution to address economic inequality.

Experiments and pilots over the last 40 years in countries around the world have shown that cash transfer programs have meaningfully positive impacts on study participants. However, more research is needed to fully understand the impact that it would have in the United States. There are open questions on the ideal frequency of delivery and amount of payments, as well as the effects of these payments on labor force participation in different sectors, health outcomes, domestic violence, entrepreneurship, caregiving, re-entry for the formerly incarcerated, and income inequality when broken down by race.

Currently, launching a guaranteed income pilot program means that any program participants that receive state benefits may be penalized for their participation by losing part or all of their benefits, as the money distributed through guaranteed income is counted in the calculation of income for most needs tested benefits. This reduces ability of low-income people to participate in pilots, making quality research significantly more difficult to

conduct, and potentially penalizing poor and homeless populations involved in studies.

### **Solution/Recommended Proposal**

AB 1338 will allow public and private organizations to conduct high-quality pilot programs of unconditional cash assistance without jeopardizing the benefits and tax credits of those receiving payments. Specifically, AB 1338 would:

- Exempt unconditional cash payments from inadvertently impacting recipients' eligibility for CalWORKs and CalFresh benefits;
- Exempt the income from state tax calculations affecting EITC;
- Require the programs to register with the Department of Social Services (DSS) and submit a report upon conclusion; and
- Require DSS to post on its website a list of these organizations.

### **Departments Impacted & Why**

It is likely that SF HSA would have to spend some staff time on training, however City Departmental costs should be limited. On the other hand, the legislation would support successful implementation of programs either already launched or in development by several Departments, including DPH, OEWD, HRC, and the Arts Commission.

### **Fiscal Impact**

Fiscal analysis has not yet been conducted on this bill, which would be expected to incur some costs for DSS. It would not, however, create new CalWORKs or CalFresh grant recipients, merely protect existing benefit levels for pilot programs.

### **Support / Opposition**

#### Supported by:

Children's Defense Fund (Co-sponsor)  
Universal Income Project (Co-sponsor)

#### Opposed by:

None on record as yet

Date Submitted	3/29/2021
Submitting Department	Human Rights Commission
Contact Name	Joseph Sweiss, Cathy Meyer
Contact Email	<a href="mailto:Joseph.Sweiss@sfgov.org">Joseph.Sweiss@sfgov.org</a> , <a href="mailto:cathy.mulkeymeyer@sfgov.org">cathy.mulkeymeyer@sfgov.org</a>
Contact Phone	(202) 763-2384
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 412**  
**Asm. Reyes, District 47, Democrat**  
**California Commission on Human Rights**

**Recommended Position**

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

crucial to ensure the human rights of all are met.

**Summary**

AB 412 would establish the California Commission on Human Rights, an advisory committee tasked with reviewing the status of human rights across California and providing periodic reports and policy recommendations.

**Solution/Recommended Proposal**

This bill establishes the California Commission on Human Rights to serve as an advisory board. The Commission would review the status of human rights across the state of California, identifying human rights abuses and concerns, develop policy recommendations, and advocate for them accordingly. The commission will meet regularly and produce reports for the Legislature and Governor.

This bill would also establish the California commission on human rights fund to aid in carrying out its task.

**Background/Analysis**

Defending and uplifting human rights is crucial in promoting equity and justice for all California residents. Various governing bodies, spanning from local to international, have defined and outlined the importance of human rights.

Currently, there is no formal mechanism tasked with reviewing the status of human rights within California. The need for a government entity with oversight regarding human rights is critical especially in light of the COVID-19 pandemic.

Community based organizations and nonprofits have typically served to survey the status of human rights and flag abuses. However, because of the economic impact of the pandemic, the nonprofit sector's ability to help fulfill parts of this role could be hindered for the foreseeable future.

Because of the disproportional impact of the COVID-19 pandemic on marginalized communities, it has become even more

**Departments Impacted & Why**

No departments impacted.

**Support / Opposition**

**Supported by:**

Council on American-Islamic Relations, CARI-CA (Sponsor)  
Coalition on Human Immigrant Rights, CHIRLA (Co-Sponsor)  
Western Center on Law and Poverty (Co-Sponsor)

**Opposed by:** None on record (?)

Date Submitted	April 5, 2021
Submitting Department	SFPUC
Contact Name	Megan Scott
Contact Email	<a href="mailto:mescott@sflower.org">mescott@sflower.org</a>
Contact Phone	(415) 852-0845
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 758

### Asm. Nazarian, Assembly District 46, Democrat Marks-Roos Local Bond Pooling Act of 1985: electric utilities: rate reduction bonds

#### Recommended Position

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

#### Summary

AB 758 will allow the state of California's 45 Publicly Owned electric Utilities (POUs) to use rate reduction bonds as a low-cost financing tool, already available to water and wastewater agencies and to investor-owned utilities (IOUs), thereby allowing customers to financially conserve.

#### Background/Analysis

Maintaining affordable electric rates is critically important. The average California household pays about \$1,700 per year for electricity. Rate reduction bonds offer lower interest rates and financing costs than traditional revenue bonds because the repayment relies on a dedicated charge on customer bills, as opposed to integrating the costs into customer electric rates. Rate reduction bonds are also issued through a joint powers authority (JPA). The debt issued by the JPA is considered "bankruptcy remote," meaning it is separate from the utility's debt so even a utility bankruptcy does not create risk to the bondholder.

Thus, rate reduction bonds consistently result in a AAA bond rating because bondholders are highly confident the payments will not falter. This saves both customers and utilities.

POUs offer electric rates that are, on average, 15% lower than private IOUs. But upward pressure on rates is growing and maintaining customer affordability has become more challenging as regional, state and local efforts have ramped up to address climate change and wildfire mitigation, alongside the ongoing financial impacts of COVID-19.

POUs need the opportunity to finance debt for their investments through less expensive rate reduction bonds. IOUs regularly take advantage of the low-cost financing offered by rate reduction bonds. For example, IOUs relied on rate reduction bonds after the 2001 energy crisis to finance billions of dollars of debt. More recently, IOUs used rate reduction bonds to finance new California Department of Water Resources (DWR) debt to support a wildfire fund authorized by AB 1054 (2019) and to finance costs and expenses authorized by SB 901 (2018) arising out of catastrophic wildfires. Just this past year IOUs were authorized by AB 913 to finance COVID-19 related debt.

#### Challenge

The Legislature passed and the Governor signed AB 850 (Nazarian) in 2013 and AB 305 (Nazarian) in 2019. These bills, which passed unanimously, allow public water and wastewater agencies to utilize rate reduction bonds for lower cost financing. IOUs have

also used rate reduction bonds in many instances for cheaper financing.

However, while water agencies, wastewater agencies, and IOUs may finance projects using rate reduction bonds, the state's 45 POU's are not yet authorized to do so, denying their customers the savings provided by this low-cost financing tool. There is no policy rationale for this inequity.

In allowing POU's, like the SFPUC, which provides power to San Francisco's schools, MUNI, streetlights, City Hall, SFO Airport, the Zoo, and other civic institutions and private facilities, to take advantage of this financing tool, the utility along with customers will benefit.

### **Solution/Recommended Proposal**

AB 758 would allow POU's to use the statutorily created rate reduction bond structure that already is authorized for public water and wastewater agencies. By doing so, AB 758 would provide an option to POU's that would enable them to make investments and meet state mandates at a lower cost to their customers. The low-cost financing option could be used for any major utility project, such as wildfire mitigation efforts and system upgrades, renewable energy projects and potentially smoothing out revenue losses caused by COVID-19.

Creating this financing option for the SFPUC stands to positively impact electric customers along with the businesses, institutions, and transit powered by the agency's resources.

### **Departments Impacted & Why**

SFPUC, MUNI, SFO

### **Fiscal Impact**

AB 758 would allow the SFPUC to finance projects using rate reduction bonds, resulting in lower financing costs and potentially lower bills for General Fund departments, compared to traditional utility financing mechanisms.

### **Support / Opposition**

#### **Supported by:**

- California Municipal Utilities Association (CMUA)
- City of Redding Electric Utilities
- City of Palo Alto Utilities Department
- Trinity Public Utilities District

#### **Opposed by:**

- None



Date Submitted	April 5, 2021
Submitting Department	SFPUC
Contact Name	Megan Scott
Contact Email	<a href="mailto:mescott@sfgwater.org">mescott@sfgwater.org</a>
Contact Phone	(415) 852-0845
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

**SB 612**  
**Sen. Portantino, District 25, Democrat**  
**Electrical corporations and other load-serving entities:**  
**allocation of legacy resources**

<u>Recommended Position</u>	
<input type="checkbox"/> SPONSOR	<input checked="" type="checkbox"/> SUPPORT
<input type="checkbox"/> SUPPORT if amended	<input type="checkbox"/> OPPOSE
<input type="checkbox"/> OTHER & Describe	

<u>Background/Analysis</u>
<p>Early state mandated procurement of renewable energy by IOUs resulted in California's rapid transition to renewable energy. As renewable resources have grown to scale, both prices and market value for renewable energy have declined, leaving a significant portion of the IOU initial renewable contracts financially underwater. These contracts, often referred to as "legacy contracts" have produced billions of dollars of above-market costs that are recovered from all ratepayers.</p> <p>While these resources produce high costs, they also produce valuable products such as renewable energy, GHG-free energy, and resource adequacy, products needed by all energy providers to meet their clean energy goals and remain in compliance with reliability requirements. However, under the current structure, these products are retained by the IOU for its own compliance purposes.</p>

<u>Summary</u>
<p>This bill aims to create fair and equal access to the benefits of legacy contract resources for all customers and ensures that Investor-owned utilities (IOUs) portfolios are managed to maximize value and reduce unnecessary costs for all customers.</p> <p>Specifically, this bill:</p> <ol style="list-style-type: none"> <li>1) Provides customers equal access to the legacy products they are paying for in proportion to what they are paying.</li> <li>2) Requires the CPUC to recognize the value of greenhouse gas (GHG)-free energy in the same way renewable energy or RA products are recognized.</li> <li>3) Requires IOUs to annually sell any remaining excess legacy resource products not taken by former customers to the wholesale market.</li> <li>4) Requires IOUs to transparently engage legacy resource holders in re-negotiating, buying out, or otherwise reducing costs from these contracts.</li> </ol>

<u>Challenge</u>
<p>Over the last decade, more than 11 million investor-owned utility (IOU) customers, across California, have transitioned from IOU electric service to Community Choice Aggregators (CCAs), local government-owned utilities choosing to purchase electricity on behalf of their communities. Including 376,000 San Francisco residents and businesses in San Francisco's CCA, CleanPowerSF.</p>

As part of this transition, CCA customers must share in the cost responsibility with IOU customers for the resource contracts entered into by IOUs prior to their departure for CCA service.

While CCA customers must pay their fair share of the contracts, they do not have access to any of the benefits the resources from these contracts provide as those benefits are retained by the IOU for their customers.

#### **Solution/Recommended Proposal**

At present, customers of CCAs such as CleanPowerSF, must pay for redundant resources to meet compliance requirements even though they already pay for the products as part of their obligation for transitioning to a CCA. There is no good policy rationale for this inequitable treatment of CCA customers versus their IOU counterparts. This legislation corrects this inequitable treatment and is crucial at this time as more procurement requirements are placed on CleanPowerSF and CCAs across the state.

#### **Departments Impacted & Why**

SFPUC (CleanPowerSF)

#### **Fiscal Impact**

CleanPowerSF is San Francisco's CCA and provides power to more than 376,000 San Francisco residents and businesses. This bill would ensure CleanPowerSF customers receive fair and equal access to the benefits of the resources that they pay for which would lead to reduced clean energy compliance costs for these customers.

#### **Support / Opposition**

Supported by:

- California Community Choice Association
- Central Coast Community Energy (CCCE)
- City of Agoura Hills
- City of Arcadia
- City of Berkeley
- City of Camarillo
- City of Chula Vista

- City of Hayward
- City of Moorpark
- City of Oakland
- City of San Jose
- City of Santa Monica
- City of Thousand Oaks
- City of West Hollywood
- Clean Energy Alliance (CEA)
- Clean Power Alliance
- Contra Costa County
- East Bay Community Energy (EBCE)
- Los Angeles County
- Marin Clean Energy (MCE)
- Marin County
- Peninsula Clean Energy (PCE)
- Redwood Coast Community Energy
- Redwood Coast Energy Authority (RCEA)
- San Jose Clean Energy
- Sonoma Clean Power (SCP)
- The Climate Center

Opposed by:

- No formal opposition

Date Submitted	4/5/2021
Submitting Department	Department on the Status of Women
Contact Name	Elise Hansell
Contact Email	Elise.Hansell@sfgov.org
Contact Phone	415-252-4653
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

## SB 24

### Sen. Caballero, District 22, Democrat

## Domestic violence: protective orders: information pertaining to a child

#### 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

This bill would close a gap in the implementation of existing protections against a third party's disclosures of a minor's protected information under a domestic violence restraining order by providing courts the ability to restrict an abusive partner from accessing records and information pertaining to the health care, education, childcare, recreational activities, or employment of a minor child of the parties. It would also require certain third parties that provide services to children to adopt protocols to ensure that restrained parties are not able to access records or information pertaining to the child.

#### Background/Analysis

Currently, the Domestic Violence Protection Act (DVPA) sets forward procedural and substantive requirements for the issuance of a protective order to prevent abuse (commonly known as a Domestic Violence Restraining Order). Existing law authorizes a minor or their guardian to petition a court to designate the minor's information as confidential, and, if granted, prohibits third party recipients of the confidential information from further disseminating the information unless certain conditions are

met. Third parties who violate these requirements are subject to a sanction only if they disclose the information in a manner that recklessly or maliciously disregards these requirements. Additionally, an intentional violation of a domestic violence restraining order is a misdemeanor punishable by a fine of not more than \$1,000, or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.

#### Challenge

While minor's information in connection with restraining orders can be protected, this bill seeks to close a gap in the implementation of existing protections. The potential for inadvertent disclosure of a minor's information by a third party reveals a key vulnerability confronting minors with a restraining order, that last year resulted in the tragic death of a survivor of domestic violence.

Calley Jean Garay, a 32-year-old mother of three, left her husband and obtained a domestic violence restraining order against him. Two months later, she was shot to death while shielding her children in the parking lot of a health center in Madera, following a medical appointment. It has been alleged that the husband was the killer and that he learned of Calley's whereabouts after the health center mistakenly called him when attempting to confirm Calley's appointment. Moreover, over half of the

killings of women in the United States are related to intimate partner violence, according to the Centers for Disease Control and Prevention.

#### Solution/Recommended Proposal

This bill authorizes a court to include a provision restraining a party from accessing records and information pertaining to the health care, education, daycare, recreational activities, or employment of a minor child of the parties in an ex parte restraining order. This bill requires certain third parties that provide services to children to adopt protocols to ensure that restrained parties are not able to access records or information pertaining to the child in the possession of the third parties.

At a minimum, the protocols must include designating appropriate personnel to receive such protective orders, establishing a means of ensuring that the restrained party is identified and not able to access the records or information, and implementing a procedure for documenting receipt of a copy of the protective order. These protocols must be adopted by February 1, 2023 by "essential care providers" defined to include organizations that frequently provide essential social, health, or care services to children. "Discretionary services organizations," defined as organizations that provide non-essential services to children, such as recreational activities, entertainment, and summer camps, are required to adopt a protocol only if they are provided with a copy of a restraining order. This bill prohibits essential care providers and discretionary services organizations that are provided with a restraining order from releasing information or records pertaining to the child to the restrained party. This bill requires the Judicial Council to update forms or rules as necessary and becomes operative January 1, 2023. These changes will result in restraining orders that make it clear when a party must withhold the minor's information from an abusive parent. The need for clarity in such orders is especially important given that the vast majority of family law litigants are unrepresented.

#### Departments Impacted & Why

The bill requires changes to forms and protocols for courts and certain third parties that provide services to children, such as medical offices, schools, and childcare centers by February 1, 2023. Recreational organizations and summer camps would only need to develop protocols if provided a copy of a restraining order that restricts the information of a minor.

#### Fiscal Impact

No fiscal impact.

#### Support / Opposition

##### Supported by:

California Partnership to End Domestic Violence  
Central California Coalition of Child Abuse Prevention Councils  
Crime Victims United  
Fresno Council on Child Abuse Prevention  
Haven Women's Center of Stanislaus  
National Association of Social Workers – California Chapter  
The Alessandra Advocacy Group  
Valley Children's Healthcare

##### Opposed by:

None on record

Date Submitted	April 4, 2021
Submitting Department	Department on the Status of Women
Contact Name	Elizabeth Newman
Contact Email	<a href="mailto:Elizabeth.newman@sfgov.org">Elizabeth.newman@sfgov.org</a>
Contact Phone	415-252-3206
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 checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

**SB 331**  
**Sen., Leyva, District 20, Democrat,**  
**Settlement and nondisparagement agreements**

**Recommended Position**

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

**Summary**

Senate Bill 331, also known as Silenced No More Act, would expand protections against discrimination and harassment cover-ups by prohibiting non-disclosure and non-disparagement agreements (NDA) that limit workers' ability to speak out about harassment and discrimination in the workplace, whether due to race, sexual orientation, religion, age or any other characteristic. SB 331 builds on the 2018 Senate Bills 820 and 1300 that curbed these tactics in cases of sexual harassment and sex discrimination to include any unlawful activity, unless requested by the complainant.

**Background/Analysis**

Non-disparagement Agreements (NDAs) are written agreements not to criticize an employer or perpetrator publicly. They can be part of employment contracts at the time of hire or part of settlement agreements or severance deals when an employee separates from an employer. At the time of separation, they can also accompany non-disclosure agreements, to bind the parties to secrecy.

Existing law prohibits settlement agreements that prevent the disclosure of factual information related to a claim filed in

a civil action or a complaint filed in an administrative action, in regard to an act of sexual assault, sexual harassment, workplace harassment or discrimination based on sex, failure to prevent an act of workplace harassment or discrimination based on sex, act of retaliation against a person for reporting harassment or discrimination based on sex. Currently, an employer cannot require, in exchange for a raise or bonus, an employee to sign a release of a claim of employment discrimination, harassment, or retaliation for reporting or opposing employment discrimination or harassment or a non-disparagement agreement or other document that purports to deny the employee the right to disclose information about unlawful acts in the workplace.

However, other forms of unlawful harassment and discrimination, including on the basis of race, sexual orientation, disability, or religion, are not covered under existing laws, which leaves victims at risk of being silenced through NDAs.

**Challenge**

Serial harassers have avoided responsibility for their conduct through using legal tactics such as non-disclosure agreements (NDAs) in settlement agreements and the use of non-disparagement agreements in employment contracts. Secret settlements have drawn attention for their use in high-profile sexual harassment and assault cases, including by former USA Gymnastics team doctor Larry

Nasser and Hollywood producer Harvey Weinstein, which form victims to remain silent.

Although California passed SB 820 and SB 1300 in 2018 to restrict the abuse of NDAs to claims of sexual harassment and sex-based discrimination, the same type of protection is not offered to victims of other types of unlawful activity.

#### **Solution/Recommended Proposal**

Senate bill 331 would prohibit provisions in settlement agreements that prevent or restrict workers from speaking out against harassment and discrimination in the workplace. The bill would permit the disclosure of factual information relating to all claims involving discrimination, harassment, or retaliation for reporting or opposing harassment or discrimination pursuant to the Fair Employment and Housing Act, regardless of the protected class on which the claim is based, with an exception for a provision that shields the identity of the claimant and all facts that could lead to the discovery of the claimant's identity.

SB 331 would also prohibit provisions in employment severance agreements to the extent that they have the purpose or effect of denying the separated employee the right to disclose information about unlawful or potentially unlawful acts in the workplace.

#### **Departments Impacted & Why**

There are no anticipated further impacts.

#### **Fiscal Impact**

There are no anticipated further impacts.

#### **Support/Opposition**

##### Supported by:

California Employment Lawyers Association (sponsor); Earthseed (sponsor); Equal Rights Advocates (sponsor); AI Now Institute; Bayla Ventures; Brandworkers; California Rural Legal Assistance Foundation; California Women's Law Center; The Center for Institutional Courage; Consumer Attorneys of California; Force the Issue; Legal Aid at Work; Lift Our Voices; National Council of Jewish Women-California; National

Employment Law Project; Radical Candor LLC; San Barbara Women's Political Committee; SEIU California; TechEquity Collaborative; The People's Parity Project; The Real Facebook Oversight Board; Vaya Consulting, LLC; Western Center on Law & Poverty; Whistleblower International Network; Women's Foundation California; Work Equity

##### Opposed by:

Acclamation Insurance Management Services; Allied Managed Care; California Business Properties Association; California Employment Law Council; California Farm Bureau; California Restaurant Association; Civil Justice Association of California; Coalition of Small and Disabled Veteran Business; Housing Contractors of California; Flasher Barricade Association; Official Police Garages Los Angeles; Western Electrical Contractors Association; Western Growers Association

Date Submitted	4/5/21
Submitting Department	SFMTA
Contact Name	Jadie Wasilco
Contact Email	<a href="mailto:Jadie.wasilco@sfmta.com">Jadie.wasilco@sfmta.com</a>
Contact Phone	415-646-2714
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 550**  
**Asm. Chiu, District 17, Democrat**  
**Vehicles: speed safety system pilot program**

**Recommended Position**

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

**Summary**

AB 550 directs the Secretary of CalSTA to bring together a stakeholder working group to establish program guidelines for the piloting of two speed safety camera programs: one on dangerous local streets and the other in active state or local works zones. Pilot programs must comply with the State’s guidelines to be implemented.

**Background/Analysis**

Every year, 30 people are killed and more than 500 are seriously injured while traveling on San Francisco streets. These crashes are avoidable, and cities such as San Francisco, are prohibited from using proven tools to bring the number of deaths to zero.

Vision Zero traffic safety initiatives underway have made some progress, but these efforts to date have not brought about the necessary reductions in injuries and deaths.

Half of San Francisco’s most dangerous streets—the 13% of streets where over 75% of collisions occur—are located in low-income communities of color, where people rely heavily on walking and transit as their primary means of transportation.

While only a third of our City’s streets run through historically disadvantaged communities, streets in these neighborhoods

are almost twice as likely to be on the High Injury Network as compared to other areas.

Vision Zero efforts have historically focused on a traditional law enforcement response to speeding and other dangerous driver behaviors, as well as education and engineering efforts. However, these traditional enforcement methods have had a well-documented disparate impact on communities of color, and implicit or explicit racial bias in police traffic stops puts drivers of color at risk. Jurisdictions around the state are seeking alternatives to traditional enforcement mechanisms that will protect public safety while being responsive to community concerns.

**Challenge**

Across the United States, numerous peer-reviewed studies have shown that speed detection systems reduce the number of severe and fatal collisions by as much as 58 percent. Despite an established history, California law currently prohibits the use of these systems.

Studies have shown that speed is the leading factor when determining fault in fatal and severe collisions, yet existing efforts have not led to the reduction in speed and traffic violence needed to save lives and make communities safe. California must provide communities with the option to pilot this public safety tool to create the expectation of regular speed checking on the most dangerous streets, and in work

zones where traffic work crews are in dangerous proximity to fast-moving vehicles.

**Solution/Recommended Proposal**

AB 550 directs the Secretary of CalSTA to bring together a stakeholder working group to establish program guidelines for the piloting of two speed safety programs: one on dangerous local streets, and the other in active state or local work zones.

Pilot programs must comply with the following specific requirements in order to operate:

- **Program Operation:** Must be operated by a jurisdiction's transportation department or similar administrative agency.
- **Privacy Protections:** Jurisdiction must adopt a policy setting out clear restrictions on the use of data and provisions to protect, retain, and dispose of that data. Data from a system cannot be used for any other purpose or disclosed to any other person or agency except as required by law or in response to a court order or subpoena.
- **Facial Recognition Ban:** Jurisdictions are prohibited from using facial recognition technology in a program.
- **Citation Type:** Citations are civil in nature, not criminal, and shall not result in a point on a driver's record.
- **Fine Amount:** The total penalty amount, including fees, is capped at \$125.
- **Adjudication:** Jurisdictions must provide for a hearing and appeal process for contesting citations.
- **Equity:** Jurisdictions must offer a low-income driver diversion program with specified alternative remedies in lieu of payment and reduced fines for qualifying individuals.
- **Oversight and Evaluation:** Each jurisdiction must submit a report and evaluation to the Legislature within two years of the start of the program and annually thereafter. Reports must include a specific analysis of racial equity and financial impacts of

programs developed in collaboration with stakeholder groups.

- **Sunset:** The Act and any authorized programs sunset on January 1, 2027.

**Departments Impacted & Why**

SFMTA  
DPH  
SFPD

**Fiscal Impact**

N/A

**Support / Opposition**

City of Los Angeles (cosponsor)  
City of Oakland (cosponsor)  
City of San Francisco (cosponsor)  
City of San Jose (cosponsor)  
Walk San Francisco (cosponsor)  
San Francisco Bicycle Coalition



Date Submitted	4/5/21
Submitting Department	SFMTA, SFO
Contact Name	Jadie Wasilco
Contact Email	<a href="mailto:Jadie.wasilco@sfmta.com">Jadie.wasilco@sfmta.com</a>
Contact Phone	415-646-2714
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 859**  
**Asm. Irwin, District 44, Democrat**  
**Mobility devices: personal information**

**Recommended Position**

- SPONSOR**  **SUPPORT**  
 **SUPPORT if amended**  **OPPOSE**  
 **OPPOSE unless amended**

**Summary**

This bill would remove a public agency's existing authority to collect deidentified shared mobility device data, and only authorize them to collect anonymized data, as defined, from shared mobility devices, including from shared bicycles, scooters, transportation network companies (TNCs), and autonomous vehicles (AVs).

AB 859 is a reintroduction of AB 3116 (Irwin) from last year, which SFMTA actively opposed. In 2019, AB 1112 (Friedman) sought to limit shared mobility device data, as well. SFMTA opposed that bill and it was held in Committee.

**Background/Analysis**

SFMTA has developed data-driven permit programs for docked and dockless bikeshare and e-scooters to address key safety, consumer protection, and equity concerns, and integrate emerging mobility modes with the city's transportation infrastructure. We require access to individual device data from permittees to enforce geographic distribution requirements, ensure adherence to the permitted number of devices on our streets, and monitor coverage of required service areas. We also use it to analyze how shared scooters and bikes use our streets so we can adequately plan for bike lanes to improve safety for all users. These are all

critical to achieve our mobility equity and accessibility goals.

San Francisco does not collect any personally identifiable information about riders of shared mobility devices. We only collect data about the device itself, such as whether it is available for service or not, and trip origin and destination, to inform our regulatory and enforcement efforts.

Cities also apply methods to ensure that the bike and scooter data we receive cannot be associated with the rider. This is in stark contrast to what private service providers collect, which is extensive personally identifiable information about their users, including detailed individual user information such as names, credit card numbers, and addresses. We do not request nor receive this type of information.

San Francisco International Airport (SFO) pioneered the use of real-time trip data to regulate TNCs, implementing the App-Based Transportation Clearinghouse (ABTC) in 2015. SFO uses real-time data to collect TNC trip fees, audit the TNCs' self-reported trip fees, enforce permit terms, identify unauthorized TNC vehicles on Airport property, monitor and regulate driver behavior, investigate incidents involving TNC vehicles, control and optimize curbside access, monitor and control greenhouse gas emission and forecast future activity to allocate and optimize use of the Airport's limited spaces and resources. SFO only collects information from TNC vehicles on Airport property and the portions of US

Highway 101 adjacent to Airport property, and collects no information from customers.

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### Challenge

This bill would directly interfere with our ability to manage the public right-of-way. Without individual device data, we would have no way to verify device data by an audit trail, which would leave us unable to ensure compliance with our permit regulations. We would have limited capacity to understand how shared mobility devices are operating within our City's transportation network, which could result in public safety hazards.

Outside of compliance with permit regulations, the data is only used for analysis in an aggregated form (or with key attributes modified or removed to help ensure anonymity) and is only made available to staff in a summarized view.

In addition to limiting local's ability to ensure compliance with regulations for modes we regulate including shared scooters and bikes, AB 859 expands this limitation to TNCs and AVs. This broad limitation would hinder what little regulation exists today for TNCs by the California Public Utilities Commission (CPUC) and the California Air Resources Board (CARB) and would preemptively tie our hands from having any information about AVs in the future. These restrictions would leave us in the dark when it comes to understanding how these for-profit services operate on the public right of way, while potentially increasing congestion, safety, and environmental concerns.

This bill would also compromise SFO's ability to regulate TNCs on Airport property. The provision of real-time data is vital for the Airport and the San Francisco Police Department – Airport Bureau (SFPD-AB) to monitor and manage TNC activity and traffic flow and congestion. Without real-time data, it would be impossible for SFPD-AB officers in the field to ensure compliance with Airport policies and permit terms, thus compromising safety and security. Without real-time data, the Airport would have no way to verify and audit TNC trips, which would affect our ability to collect trip fees that support the Airport's transportation infrastructures. A lack of

individual trip transaction data would also prevent the Airport from distributing activity efficiently along its limited staging facilities and curbside frontages, leading to increased congestion, emissions, and the uneven use of its constrained facilities.

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### Solution/Recommended Proposal

To effectively regulate and manage the City's transportation network, SFMTA needs to maintain our existing authority to collect deidentified individual device data from shared mobility operators. SFMTA staff have been working closely with other cities on what amendments to AB 859 would look like that both ensure our ability to collect the information we need to effectively manage our streets while ensuring data privacy.

Of note, the ACLU recently sued the City of Los Angeles for collecting shared mobility device data, which was dismissed. The opinion noted that the government's interests in collecting this data are "legitimate and substantial."

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### Departments Impacted & Why

SFMTA, SFO

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### Fiscal Impact

N/A

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### Support / Opposition

None on file yet, but unofficially we are working closely with the following cities on proposed amendments to AB 859:

Los Angeles  
Oakland  
San Jose  
Sacramento  
Long Beach  
San Diego  
Fresno

California Airport Council is considering an oppose position

Date Submitted	4/5/21
Submitting Department	SFMTA
Contact Name	Jadie Wasilco
Contact Email	<a href="mailto:Jadie.wasilco@sfmta.com">Jadie.wasilco@sfmta.com</a>
Contact Phone	415-646-2714
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 917**  
**Asm. Bloom, District 50, Democrat**  
**Vehicles: video imaging of parking violations**

**Recommended Position**

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

**Summary**

AB 917 (Bloom) will expand state law to allow all transit agencies in California to install forward-facing cameras on buses to capture images of vehicles and cite those that park in transit-only lanes, bus stops, and transit stations. AB 917 is modeled after the successes of Muni and AC Transit’s existing camera enforcement programs and aims to improve travel time and reliability.

**Background/Analysis**

In efforts to improve services, transit agencies across California, including SFMTA, have expanded transit-only lanes. Expanding these lanes is a key part of SFMTA’s COVID-19 Transportation Recovery Plan to ensure frequent and reliable Muni service. There are currently 43 miles of transit-only lanes in San Francisco.

In a 2019 study by UCLA Institute of Transportation Studies, researchers found that designated transit-only lanes have led to increased speeds, decreased variability in travel times, gains in ridership, and safer streets for cyclists and transit users. The study also argued that enforcement is essential to efficacy.

SFMTA established the Transit-Only Lane Enforcement (TOLE) program through AB 101 (Ma, 2007) to implement a pilot

program that installed automated forward-facing cameras and issue citations for vehicles that are illegally parked or stopped within a designated bus lane for four years. The program was extended for another four years in AB 1041 (Ma, 2011). The sunset date was eventually removed entirely by AB 1287 (Chiu, 2015).

While SFMTA already has authority to use forward-facing cameras for enforcement of parking in transit-only lane violations, this bill would expand that authority, and allow SFMTA to use cameras to cite parking violations in all bus stops and transit stations, in addition to in transit-only lanes.

**Challenge**

In recent years, the growing number of cars in California roads have made it difficult for public transit to function properly. Illegal parking in bus stops and violations of bus-only lanes by personal cars, moving vans, delivery trucks and corporate rideshare services have negatively impacted transit services.

Parked vehicles make it difficult for operators to maneuver around heavily congested lanes, consequently creating unsafe conditions for boarding and drop-offs. The violations have also led to increased travel times, reduced ridership and exacerbated congestion issues.

**Solution/Recommended Proposal**

AB 917 will expand state law to allow transit agencies Statewide to install forward-facing cameras on buses to capture images of

vehicles that violate transit-only lanes, bus stops, and transit stations during peak hours. The images would be sent to local parking officers, or a contracted enforcement agency, to review the images and issue citations, if needed.

AB 917 is modeled after the successes of Muni and AC Transit's existing camera enforcement programs, and aims to deter bus-lane violations and improve travel time and reliability.

As public transit agencies across the state work to address declining ridership, AB 917 would provide transit agencies with a cost-effective strategy to remain competitive in attracting more riders and ensure safe and rapid bus-service.

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**Departments Impacted & Why**

SFMTA

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**Fiscal Impact**

N/A

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**Support / Opposition**

**Support**

California Transit Association (Sponsor)  
LA Metro (Sponsor)  
The Alameda-Contra Costa Transit District (Sponsor)  
East Bay Transit Riders Union

**Opposition**

None listed

<b>Date Submitted</b>	April 5, 2021
<b>Submitting Department</b>	Department of Public Health and Human Services Agency
<b>Contact Name</b>	Max Gara; 415-554-2621
<b>Contact Email</b>	<a href="mailto:Maxwell.gara@sfdph.org">Maxwell.gara@sfdph.org</a>
<b>Contact Phone</b>	Sneha Patil; 415-554-2795 <a href="mailto:Sneha.patil@sfdph.org">Sneha.patil@sfdph.org</a> Rita Nguyen, MD; (415) 437-6244 <a href="mailto:Rita.nguyen@sfdph.org">Rita.nguyen@sfdph.org</a>
<b>Reviewed and approved by Department Head?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

**AB 368**  
**Assembly Member Bonta; District # 18, Democrat**  
**Food Prescriptions**

**Recommended Position**

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

**Summary**

This bill aims to directly address racial and ethnic health disparities, combat chronic disease, and reduce rates of food and nutrition insecurity among Medi-Cal enrollees by establishing a two-year, food prescription pilot in partnership with the Medi-Cal managed care plans in three counties, including the County of Alameda.

**Background/Analysis**

Food insecurity is a critical social determinant of health and is directly associated with some of the costliest health conditions in California. Food insecure patients have a 200 percent increased likelihood of developing diabetes, a 47 percent increase in hospitalization and emergency room visits, and a 53 percent increased likelihood of developing chronic disease.

The San Francisco Health Network's low-income patients bear a disproportionately high burden of food insecurity and resulting health impacts such as hypertension and diabetes. Black/African-American (B/AA) patients with hypertension have lower rates of controlled blood pressure

compared to the total population (53 percent versus 61 percent under control in 2015). Furthermore, 45 to 70 percent of patients in SFHN experience food insecurity. The COVID-19 pandemic has exacerbated racial health disparities and the rates of food and nutrition insecurity. There is an urgent need to build resiliency among vulnerable populations, especially those with underlying medical conditions, by focusing on preventive care that may help Medi-Cal beneficiaries avoid chronic conditions before they start.

At San Francisco Department of Public Health (SFPDH), addressing food security is a high priority issue. The department has had a leadership role on the Food Security Task Force and also participates in the Food as Medicine Collaborative (FAM). FAM is a multi-sector coalition bridging healthcare and food systems to address food insecurity, support nutritional behavior change, and advance health equity. The collaborative supports on-site food programming within healthcare settings through robust clinical-community linkages (i.e. Food Pharmacies), promotes culture and systems change in healthcare to embrace food insecurity as a healthcare issue, and supports policy change such as getting health insurers to pay for food as a

covered medical benefit. In 2020, 16 clinics in 5 health systems participated in the Food Pharmacy program, serving 1,779 patients across 8,615 total visits (January-October). Through the program, clinic staff refer patients to “fill” prescriptions for healthy groceries weekly, paired with interactive nutrition education, cooking demonstrations, cooking toolkits, on-site hypertension management by clinicians, health coaching, and effective referrals to local food resources.

### Challenge

Food prescriptions are an effective medically supportive food intervention used to treat, reverse, and prevent chronic health conditions like diabetes, hypertension, and depression. Studies show medically supportive food interventions like food prescriptions can significantly improve a patient's quality of life and health status, while also reducing health care costs.

Medi-Cal supports a range of medical interventions for enrollees, but to date, the program does not cover medically supportive food programs and services, such as food prescriptions. While these programs are up and running in several CA cities and counties, their expansion is severely limited because many health insurance payors, including Medi-Cal, do not reimburse for these services,

### Solution/Recommended Proposal

AB 368 would establish a two-year, food prescription pilot program to be administered and evaluated by the California Department of Health Care Services (DHCS) in partnership with the Medi-Cal managed care plans in three pilot counties. The pilot will provide medically supportive food (i.e. nutrient-rich whole food, including fruits, vegetables, legumes, etc.) through food prescription programs and services to eligible Medi-Cal enrollees considered to be at rising-risk because they have one or more diet related chronic health conditions. The food prescription may be paired with behavioral, cooking, or nutrition education, coaching, and counseling. At the conclusion of the two-year pilot, DHCS will be

required to evaluate the pilot's health outcome and racial disparities data.

The health outcomes data generated from the evaluation of this pilot will help to better understand the impacts of food interventions funded through health care, and if positive, will be a proof of concept that this model can be effectively implemented, spurring broader adoption by DHCS and health plans statewide. For these reasons, SFDPH and Human Services Agency recommends a support position.

### Departments Impacted & Why

No other City Department would be impacted by the bill.

### Fiscal Impact

Bill would not impose a direct cost to San Francisco. There will be a budget request of \$1.65 million from the General Fund.

### Support / Opposition

Support for the bill is likely to follow positions assumed for AB 3118 (2020)- held in Appropriations.

**Support:** County of Alameda (Sponsor); Alameda Alliance for Health; Alameda-Contra Costa Medical Association; California Dialysis Council; Davis Street Family Resource Center; Health Net; La Clínica de la Raza; Open Source Wellness

**Opposition:** None identified at this time.

Date Submitted	April 5, 2021
Submitting Department	Department of Public Health
Contact Name	Max Gara; 415-554-2621
Contact Email	<a href="mailto:Maxwell.gara@sfdph.org">Maxwell.gara@sfdph.org</a>
Contact Phone	Sneha Patil; 415-554-2795 <a href="mailto:Sneha.patil@sfdph.org">Sneha.patil@sfdph.org</a>
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 369**  
**Asm Kamlager, District 54, Democrat**  
**Medi-Cal: persons experiencing homelessness**

**Recommended Position**

- SPONSOR                                       SUPPORT  
 SUPPORT if amended                       OPPOSE  
**X OTHER & Describe:** Support and Amend

**Summary**

AB 369 will increase access to health and social services for people experiencing homelessness (PEH) by adding Medi-Cal coverage of services provided outside of traditional medical facilities (e.g. street medicine), reducing Medi-Cal enrollment barriers for PEH, and improving Medi-Cal coverage for COVID-19 related health services.

**Background/Analysis**

People experiencing homelessness (PEH) are often unable to receive needed medical and behavioral health treatment due to barriers to accessing health care. PEH, who are disproportionately people of color, have poorer health, and have life expectancies 30-years shorter than the general population.

Enrolling PEH in Medi-Cal has been a recent strategy to address existing health disparities; however, even when insured, 73 percent have never seen a healthcare provider. Concerns for basic survival needs, transportation, difficulty keeping active insurance due to lack of a mailing address, lack of ID and mental illness, make it difficult, if not impossible, for PEH to access care in the traditional healthcare model. These issues are compounded by the initial barriers PEH

experience trying to enroll in Medi-Cal, which is often due to lack of required documentation to verify eligibility.

Without access to primary care, PEH overutilize hospital emergency rooms, where they present with multiple, untreated, advanced conditions. This leads to increased rates of hospitalization and higher rates of readmission. PEH have 740 percent more hospital days at 170 percent greater cost per day than people who are housed.

**Challenge**

In order to address the issue of health care access for PEH, San Francisco Department of Public Health (SFDPH) established the Street Medicine team. The team provides street-based clinical services to PEH with medical, mental health, and substance use needs. Street Medicine health workers and community partners offer care regardless of insurance coverage and operate at locations where individuals are comfortable or residing – including streets, parks, encampments, sobering centers, harm reduction centers, navigation centers, and in open-access clinic spaces. The team provides multidisciplinary care by professional and peer staff highly knowledgeable in harm reduction, low-barrier medication for addiction treatment (MAT), and experience working with the target population. Each month, the team performs over 1,200 visits, about 20 percent (240) of which are new patients. Annually,

about 3,000 patients are seen, and 15,000 visits of performed. Studies have shown that street medicine programs can increase access to care, increase housing placement, improve health outcomes, and result in significant cost savings for Medi-Cal and hospital systems. Overall, DPH's Street Medicine program has been an effective way to engage PEH, and ensure they continue receiving needed clinical care.

Currently, the core set of medical services provided by DPH's Street Medicine are not reimbursable through the Medi-Cal program. To ensure that these services can be better sustained, and more PEH have access to these services, current barriers to receiving reimbursement through Medi-Cal for street-based clinical services should be removed.

#### **Solution/Recommended Proposal**

AB 369 will increase access to health and social services for people experiencing homelessness (PEH) and remove barriers to accessing Medi-Cal services through the following provisions:

- Allows Medi-Cal to cover services provided to PEH outside of traditional medical facilities, including street medicine teams, shelter-based care, or within transitional housing settings.
- Require DHCS to implement presumptive eligibility for individuals experiencing homelessness, under which an individual would receive full-scope Medi-Cal; and
- Prohibit Medi-Cal from implementing prior authorization/utilization controls, for services related to testing, preventing, treating, mitigating COVID-19.

In addition, we request the bill be amended with the following changes:

- (1) Expand Medi-Cal to cover other related behavioral health delivery models for PEH care. SFDPH operates other innovative behavioral health outreach programs in addition to Street Medicine. These include, but are not limited to, the newly established Street Crisis Response Team (SCRT) and Comprehensive Crisis Services (CCS). SCRT provides a non-police response to 911-calls related to people suffering from mental health and

substance use issues on City streets. DPH's CCS is a mobile multi-disciplinary, culturally diverse team that provides services to individuals who are experiencing an acute MH crisis and or have experienced community violence. Currently, these programs can only receive Medi-Cal reimbursement for certain services. AB 369 should also expand reimbursement for these program types to ensure their sustainability.

- (2) Ensure that PEH who are presumptively enrolled in Medi-Cal Fee for Service by Street Medicine and other like providers, as specified in the bill, have pharmacy benefits. This change will ensure enrolled PEH can access their prescribed medication from a pharmacy.

Collectively, the bill's current provisions and requested amendments will help to better ensure PEH have access to medical treatment, social services, housing assistance, addiction treatment, and other benefits normally covered by Medi-Cal.

#### **Departments Impacted & Why**

No other Department would be directly impacted by this legislation.

#### **Fiscal Impact**

The bill would likely have a positive fiscal impact to SFDPH due to increased reimbursement from the state for health care services being provided to PEH. In addition, the bill would likely decrease the cost of care for PEH, which is often shouldered by DPH, due to improved access preventative care. The bill would likely have a moderate impact to California's General Fund, although the exact impacts are unclear as a bill analysis has not been released.

#### **Support / Opposition**

**Sponsors:** Street Medicine Institute, USC Keck School of Medicine

**Support:** CBHDA



<b>Date Submitted</b>	April 5, 2021
<b>Submitting Department</b>	Department of Public Health
<b>Contact Name</b>	Max Gara; 415-554-2621
<b>Contact Email</b>	<a href="mailto:Maxwell.gara@sfdph.org">Maxwell.gara@sfdph.org</a>
<b>Contact Phone</b>	Sneha Patil; 415-554-2795 <a href="mailto:Sneha.patil@sfdph.org">Sneha.patil@sfdph.org</a>
<b>Reviewed and approved by Department Head?</b>	X YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO    X N/A

**AB 381**  
**Asm. Davies, District 73, Republican**  
**Licensed facilities: duties**

**Recommended Position**

- SPONSOR                                     SUPPORT  
 SUPPORT if amended                     OPPOSE  
 OTHER & Describe: **Support and Amend**

**Summary**

AB 381 increases access to the opioid overdose reversal drug Naloxone by requiring substance use residential treatment facilities to keep the drug onsite and train staff in its administration. Amendments are sought to also apply the bill's provisions to mental health residential treatment facilities.

**Background/Analysis**

Two million Americans suffer from substance use disorders related to prescription opioids, heroin, and synthetics such as fentanyl. Statewide, overdose deaths are increasing, and in San Francisco there were 699 overdose deaths in San Francisco resulting from all street drugs in 2020. This was a 59 percent increase from 2019. There are significant inequities in these impacts, with overdose death rates four times higher among Black/African Americans than White/Caucasian San Franciscans.

The U.S. Department of Health and Human Services identifies naloxone distribution as one of the top three strategies for addressing the opioid epidemic. Naloxone is a low cost, non-narcotic drug that reverses the effect of an opioid overdose. In 2018, the U.S. Surgeon General called naloxone a "safe antidote"

to a suspected overdose, and urged more individuals to carry naloxone, including family, friends, community members, and those who are personally at risk.

San Francisco has provided community access to naloxone since 2003, and in 2019 furnished 62,400 doses of naloxone. Bystander overdose reversals with naloxone have increased dramatically, approaching 2,700 in 2019 and 2,900 in 2020.

**Challenge**

Substance use residential facilities are an important site to improve access to naloxone. These facilities provide residential nonmedical services to adults who are recovering from problems related to substance use, and who need recovery, treatment or detoxification services. San Francisco have over 430 Substance Use Residential Treatment beds, which span across 13 programs. These programs serve thousands of individuals at risk of overdose.

Recently, Department of Health Care Services (DHCS) issued new rules that allow the staff of substance use residential treatment facilities to administer naloxone to residents. Despite these changes, the availability of naloxone remains hindered due to slow uptake by facilities.

**Solution/Recommended Proposal**

In order to increase the availability of Naloxone to frontline staff who serve

individuals at risk of opioid-related overdose, AB 381 would require facilities that provide residential nonmedical services including recovery services, treatment services, and detoxification services to adults (i.e. substance use residential treatment programs) to maintain naloxone on the premises at all times. Additionally, the bill requires at least one on-site staff member be trained by a pharmacist on the administration of naloxone, or be a licensed medical professional. The bill includes provisions that trained staff members would be protected from legal action for administering Naloxone in good faith.

SFDPH is supportive of most of these measures, but requests the following amendments:

(1) Expand the Types of Facilities Covered:

Amend the bill to expand the types of facilities covered by the bill's provisions. Current regulations prevent residential mental health (MH) treatment facilities (i.e. social rehabilitation facilities) staff from administering naloxone to residents due to regulations by CA Department of Social Services (CDSS)'s Community Care License (CCL) and DHCS. This prohibition is similar to other regulations preventing staff from administering medications like Epi-Pens.

Clients of Residential MH treatment facilities experience high rates of substance use disorders (e.g. Progress Foundation estimates 95% of residential MH clients have SUD), and are at risk of overdose. Similar to substance use residential treatment facilities, MH residential treatment facilities are prevalent in San Francisco – the City has 174 MH residential treatment beds across 16 programs. Given the high rates of co-occurring illness in these facilities, Naloxone should be readily available in settings similar to substance use facilities. We therefore request the bill be amended to include MH residential treatment facilities under the bill's provisions.

(2) Reduce Staff Training Requirements:

Amend the bill to remove the provision requiring staff training by a pharmacist on the administration of naloxone, as the naloxone

training does not require specialized training. The current requirement that training be provided by a pharmacist is unnecessary, and create a barrier to access.

**Departments Impacted & Why**

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No other City Department would be impacted by the bill.

**Fiscal Impact**

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Likely minor cost to the State to develop new implementing regulations.

**Support / Opposition**

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**Support:** Advocates for Responsible Treatment; County Health Executives Association of California; San Diego County District Attorney's Office; CBHDA (support if amend)

**Opposition:** None on file.

Date Submitted	April 1, 2021
Submitting Department	SFHSA
Contact Name	Susie Smith
Contact Email	Susie.smith@sfgov.org
Contact Phone	415-307-3291
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 396**  
**Asm. Gabriel, District 45, Democrat**  
**CalFresh: educational programs**

**Recommended Position**

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

**Summary**

This bill would greatly expand the number of students receiving CalFresh benefits by requiring higher education programs that qualify under the Employment and Training (E&T) Services Program CalFresh student exemption to be certified by the State Department of Social Services by June of 2022.

**Background/Analysis**

Existing federal law provides that students who are enrolled in college or other institutions of higher education at least half-time are *not* eligible for SNAP benefits unless they meet one of several specified exemptions, including participating in specified an employment and training programs for low-income households that is operated by a state or local government, as specified.

**Challenge**

Food insecurity and hunger is widespread on California's college campuses. Nearly one in three California college students faces food and housing insecurity, according to a survey by the California Student Aid Commission. Students of color are more likely than others to report needs in both areas. According to California State University (CSU) one in five CSU students experience hunger. One in five

University of California (UC) students report not having adequate access to adequate food or nutrition.

The COVID-19 pandemic has only exacerbated these economic and basic needs issues for students. Almost 3 out of every 5 students have reported experiencing basic needs insecurity during the pandemic. Lack of basic needs particularly threatens retention for students of color. In a survey 74% of Indigenous and 71% of Black students have reported facing basic needs insecurity, illustrating how the pandemic has magnified pervasive racial disparities.

**Solution/Recommended Proposal**

California's institutions of higher education have numerous programs that qualify under a CalFresh student exemption known as the local programs that increase employability standard that would, upon program approval, grant CalFresh benefits to students in need.

Unfortunately, most of these programs have not applied to qualify under this standard, leaving many students in want of well-deserved CalFresh benefits.

By requiring these programs to apply, this measure will ensure that thousands of students will be newly eligible for CalFresh and that California takes full advantage of federal funding to support students in need at no additional cost to the state.

**Departments Impacted & Why**

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Only SFHSA.

**Fiscal Impact**

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TBD

**Support / Opposition**

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Supported by:

County Welfare Directors Association of  
California

Food security advocates

Date Submitted	April 1, 2021
Submitting Department	SFHSA
Contact Name	Susie Smith
Contact Email	Susie.smith@sfgov.org
Contact Phone	415-307-3291
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 640**  
**Asm. Cooley, District 8, Democrat**  
**Extended foster care: eligibility redetermination.**

**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**

AB 640 would bolster funding for Extended Foster Care (EFC) provided to non-minor dependents (NMDs) under AB 12 (Beall and Bass, Statutes of 2010). This bill would allow counties to establish federal Title IV-E funding eligibility for previously non-federal cases as a foster youth enters the EFC program. This would give counties some relief from the significant Extended Foster Care costs we incur today.

**Background/Analysis**

The federal Fostering Connections to Success Act of 2008 gave the states the option of extending foster care to age 21. California adopted this option through the passage of AB 12 in 2010. The EFC Program began implementation on January 1, 2012, and allowed foster youth aged 18 to remain in care, without a new foster care eligibility determination, so long as that youth agreed to meet specified participation requirements. The original legislation included a cap on county contributions, after which the state General Fund would cover all non-federal costs. Since 2011 Realignment, however, the counties and the state have been in disagreement as to whether the state's obligation to fund program costs exceeding the county contribution cap remains in effect.

Additionally, costs have been significantly greater over time than originally anticipated due to higher participation rates among foster youth than originally estimated. This has led to a considerable funding gap that counties continue to shoulder.

Under federal guidance, states are permitted to re-determine eligibility for Title IV-E at the time a foster youth enters the EFC Program. Under this process, it is more likely that an NMD will meet the Title IV-E eligibility because only the NMD's income and resources are considered for eligibility. However, California's program is not currently designed to take advantage of this policy. AB 640 would correct that oversight and enable counties to determine eligibility at the time a youth enters EFC, without any disruption to their services or support funding.

**Solution/Recommended Proposal**

AB 640 would bolster funding for Extended Foster Care (EFC) provided to non-minor dependents (NMDs) under AB 12 (Beall and Bass, Statutes of 2010). This bill would allow counties to establish federal Title IV-E funding eligibility for previously non-federal cases as a foster youth enters the EFC program.

Based on the number of Non-Minor Dependents (NMDs) in California who currently are non-federally eligible and the current cost for non-SILP and SILP placements, combined with potential new administrative costs to implement this proposal, it is estimated that net new federal funding could be approximately \$28 million to counties. Since foster youth at this

transition age have little to no resources under their own names, we expect that most will meet federal criteria for full EFC funding.

These new federal resources will free up county funding that can be used for additional services in the CWS system.

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**Departments Impacted & Why**

Only SFHSA

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**Fiscal Impact**

Additional federal funding estimated at \$28 million for counties distributed based on caseload percentages.

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**Support / Opposition**

Supported by:

CWDA sponsored

CSAC supports



several integrated continuums of small, intensive, and highly individualized treatment settings throughout the state to support stabilization and step-down to home-based care. This program will be administered by the California Department of Social Services and will be tailored and highly individualized to serve children and adolescents who are experiencing mental health crisis.

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**Departments Impacted & Why**

Only SFHSA

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**Fiscal Impact**

TBD

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**Support / Opposition**

Supported by:

County Welfare Directors Association of California (Co-sponsor)

Seneca Family of Agencies (Co-sponsor)



Date Submitted	April 1, 2021
Submitting Department	SFHSA
Contact Name	Susie Smith
Contact Email	Susie.smith@sfgov.org
Contact Phone	415-307-3291
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 911 /SB 515**  
**Asm. Nazarian & Sen. Pan, Districts 46 & 6, Democrats**  
**Long-term services and supports**

**Recommended Position**

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

**Summary**

This bill would establish the California Long-Term Services and Supports Benefits Board (LTSS Board) to invest in long-term services and supports for older adults and adults with disabilities.

**Background/Analysis**

Development of LTSS Board is one of many recommendations out of Governor’s comprehensive Master Plan for Aging

Based on data from the 2015 American Community Survey, over 1,000,000 Californians will need long-term services and supports by 2030. Of those, 55 percent will be 65 years of age or older. As California becomes demographically older, the infrastructure of long-term services for adults and those with disabilities must be able to meet growing needs. .

**Challenge**

Aside from this impending increase, San Franciscans already struggle to access quality and affordable long-term care services and supports. Private options for care have dwindled in recent years and long-term care insurance remains unaffordable for too many San Franciscans, particularly women and people of color. Many low-income people in need remain ineligible to receive support through Medi-

Cal and IHSS, while demographic changes continue to drive demand and impact budgets.

**Solution/Recommended Proposal**

Locally, our senior population is growing with real implications for our systems. By 2030, the number of San Franciscans age 75 and older will increase by 58%. Over half will likely have disabilities, and many will need formal supports and services to maintain their independence.

Our local trends underscore the need for this reinforcement. By 2030, we will have 60,000 more seniors than today. Our seniors are more likely to live alone than elsewhere in the state, and consequently, they are often more dependent on formal sources of support.

AB 911 will address this crisis by creating the LTSS Board to manage and invest revenue deposited in the California Long-Term Services and Supports Benefits Trust Fund (LTSS Trust), which the bill would create in the State Treasury, to, upon appropriation, finance long-term services and supports for eligible individuals. As a result, this bill will help further of the goals of Governor Newsom’s Master Plan on Aging and improve equity, affordability and quality of care for elders and dependent adults.

**Departments Impacted & Why**

Only SFHSA

**Fiscal Impact**

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TBD by Senate and Assembly Appropriations staff

**Support / Opposition**

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Supported by:

CWDA, AARP, C4A and other aging/long-term care advocates

<b>Date Submitted</b>	March 31, 2021
<b>Submitting Department</b>	SFHSA
<b>Contact Name</b>	Susie Smith
<b>Contact Email</b>	Susie.smith@sfgov.org
<b>Contact Phone</b>	415-307-3291
<b>Reviewed and approved by Department Head?</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

**SB 464**  
**Sen. Hurtado, District 14, Democrat**  
**California Food Assistance Program: eligibility.**

**Recommended Position**

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

**Summary**

This bill would expand the California Food Assistance Program (state-level SNAP) for non-citizens, assuming other eligibility criteria are met.

**Background/Analysis**

Existing law requires the State Department of Social Services to establish the California Food Assistance Program for a noncitizen of the United States if the person's immigration status meets the eligibility criteria of SNAP in effect on August 21, 1996, but the person is not eligible for SNAP benefits solely due to their immigration status, as specified.

Existing law also makes eligible for the program an applicant who is otherwise eligible for the program, but who entered the United States on or after August 22, 1996, if the applicant is sponsored and the applicant meets one of a list of criteria, including that the applicant, after entry into the United States, is a victim of the sponsor or the spouse of the sponsor if the spouse is living with the sponsor.

**Challenge**

Adequate nutrition is vital for the health and wellbeing of all people, but many Californians struggle to make ends meet and put food on the table. COVID-19 and the resulting economic crisis have worsened

hardship across the state, and our immigrant communities are among the hardest hit. CalFresh is a critical lifeline for millions of low-income Californians; but many immigrants are unjustly and explicitly excluded from CalFresh and our state-funded California Food Assistance Program (CFAP).

**Solution/Recommended Proposal**

This bill, commencing January 1, 2023, would instead make a noncitizen applicant eligible for the California Food Assistance Program if the noncitizen satisfies all eligibility criteria for participation in the CalFresh program except any requirements related to immigration status.

The bill would eliminate the distinctions based on when the noncitizen applicant entered the country and would eliminate the sponsorship and other listed criteria requirements for eligibility on a noncitizen who entered the country on or after August 22, 1996.

**Departments Impacted & Why**

Only HSA.

**Fiscal Impact**

TBD state General Fund costs. Not yet analyzed by Senate Appropriations.

**Support / Opposition**

Nourish California and the California Immigrant Policy Center (CIPC) are the bill's co-sponsors.

Date Submitted	4/5/2021
Submitting Department	Department of the Environment
Contact Name	Lowell Chu
Contact Email	<a href="mailto:lowell.chu@sfgov.org">lowell.chu@sfgov.org</a>
Contact Phone	415-355-3738
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 96**  
**Asm. O'Donnell, District 70, Democrat**  
**California Clean Truck, Bus, and Off-Road Vehicle and**  
**Equipment Technology Program**

Recommended Position

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

Summary

This bill would extend the requirement that 20% of funding be made available to support early commercial deployment of existing zero- and near-zero-emission heavy-duty (HD) truck technology until December 31, 2026.

The bill would further require at least 20% of that funding support early commercial deployment of existing near-zero-emission HD truck technology. The bill would define "near-zero-emission heavy-duty truck" and revise the definition for "zero-emission," as provided.

Background/Analysis

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of emissions of greenhouse gases the use of market-based compliance mechanisms.

The California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, upon appropriation from the Greenhouse Gas Reduction Fund, funds zero- and near-zero-emission truck, bus, and

off-road vehicle and equipment technologies and related projects. The program provides that projects eligible for funding include, among others, technology development, demonstration, precommercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology, and requires, until December 31, 2021, no less than 20% of funding made available for that purpose to support early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology. The program defines "zero- and near-zero-emission" for its purposes.

Challenge

To improve air quality in the most affected San Francisco communities, it is critical to reduce the emissions from medium-duty (MD) and HD vehicles. While representing a small percentage of all vehicles, MD and HD vehicles are responsible for about half of transportation PM of less than 2.5 micrometers in diameter (PM2.5) emissions in the City. Electrification of HD trucks is a critical part of the Citywide EV Roadmap.

Solution/Recommended Proposal

This bill aligns with the City's zero emission vehicle goals and strategies, as described in the Citywide EV Roadmap.

### **Departments Impacted & Why**

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Department of the Environment, potential funding source for Citywide EV Roadmap implementation.

City departments with HD truck fleets may also be impacted.

### **Fiscal Impact**

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Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

### **Support / Opposition**

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None currently listed.

Date Submitted	4/5/2021
Submitting Department	Department of the Environment
Contact Name	Lowell Chu
Contact Email	<a href="mailto:lowell.chu@sfgov.org">lowell.chu@sfgov.org</a>
Contact Phone	415-355-3738
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 111**  
**Asm. Horvath, District 76, Democrat**  
**Transportation: zero-emission vehicles**

**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**

This bill requires the implementation of a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- (MD) and heavy-duty (HD) vehicle parking and electric vehicle (EV) charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles.

The bill would require the program, by January 1, 2024, to conduct an assessment outlining regional zero-emission MD and HD vehicle parking and refueling deficiencies and strategies to address those deficiencies. Hydrogen refueling network infrastructure will be required as part of the assessment.

Construction and operation of zero-emission truck parking, and supporting EV charging and hydrogen refueling networks, identified as part of the Safe and Clean Truck Infrastructure Program, will be eligible for funding.

This bill would require the CPUC, in consultation with the Energy Commission and the state board, to establish a rate structure to promote the adoption of zero-emission vehicles and zero-emission freight equipment meeting certain requirements and a rate structure that incentivizes hydrogen production by electrolysis using

electricity from eligible renewable energy resources. The bill would require the development of model rate structures consistent with those established for electrical corporations that a local publicly owned electric utility may adopt.

**Background/Analysis**

Existing law requires the Department of Transportation to develop and update every 5 years the California Transportation Plan. Under existing law, the plan describes the state's transportation policies and system performance objectives, includes broad transportation strategies and recommendations, considers certain topics relating to the movement of people and freight, and addresses how the state will achieve maximum feasible emissions reductions to attain a statewide reduction of greenhouse gas emissions to 40% below 1990 levels by December 31, 2030, and other air quality standards.

Existing law, except as provided, allocates revenues deposited in the Trade Corridors Enhancement Account for infrastructure projects and allocates certain federal funds for infrastructure projects, including truck corridor improvements to mitigate emissions from trucks.

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), working with the State Air Resources Board and the Public Utilities Commission (PUC), to prepare and update every 2 years a statewide

assessment of electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet the goals of putting 5 million zero-emission vehicles on California roads by 2030 and of reducing emissions of greenhouse gases to 40% below 1990 levels by 2030.

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**Support / Opposition**

None currently on record.

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**Challenge**

To improve air quality in the most affected San Francisco communities, it is critical to reduce the emissions from MD and HD vehicles. While representing a small percentage of all vehicles, MD and HD vehicles are responsible for about half of transportation PM of less than 2.5 micrometers in diameter (PM2.5) emissions in the City. To support electrification of these vehicles, charging infrastructure and related parking is required.

---

**Solution/Recommended Proposal**

This bill aligns with the City's zero emission vehicle goals and strategies, as described in the Citywide EV Roadmap.

Specifically, this bill will create a program to conduct regional zero-emission MD and HD vehicle parking and refueling needs. Moreover, it will create a preferred rate to advance and accelerate businesses to adopt zero-emissions vehicles.

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**Departments Impacted & Why**

Department of the Environment, potential funding source for Citywide EV Roadmap implementation.

City departments with MD/HD fleets may also be impacted.

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**Fiscal Impact**

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Date Submitted	4/5/2021
Submitting Department	Environment
Contact Name	Peter Brastow
Contact Email	<a href="mailto:Peter.brastow@sfgov.org">Peter.brastow@sfgov.org</a>
Contact Phone	415.355.3733
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 564**  
**Member Gonzalez, District 80, Democrat**  
**Biodiversity Protection and Restoration Act**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
 OTHER & Describe

**Summary**

This bill would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates.

**Background/Analysis**

As established by Executive Order N-82-20, the California Biodiversity Collaborative, in consultation and with the support of state agencies, is tasked with establishing a baseline assessment of California's biodiversity, assessing the impacts of climate change and other stressors on the state's biodiversity, and identifying and advancing opportunities for collaborative efforts to protect biodiversity.

The order tasked the Natural Resources Agency and other relevant state agencies to develop strategies to achieve the conservation of 30% of California's lands and waters by 2030 goal and report them to the Governor by no later than February 1, 2022.

**Challenge**

The fundamental challenge that this bill seeks to address is preventing mass extinction by furthering the state's biodiversity conservation goals as articulated in Executive Orders B-54-18 and N-82-20. The bill's sponsors seek to align with the orders by making it law that state agencies, boards, and commissions prioritize the protection of biodiversity.

**Solution/Recommended Proposal**

This bill would require all state agencies, boards, and commissions to utilize their authorities to consider and prioritize the protection of biodiversity in carrying out their statutory mandates.

The bill would require that strategies related to the goal of the state to conserve at least 30 percent of California's land and coastal waters by 2030 shall be made available to the public and provided to the Assembly Committee on Water, Parks, and Wildlife and the Senate Committee on Natural Resources and Water by no later than June 30, 2022.

This bill makes it the policy of the state that public agencies shall not approve projects as proposed that are inconsistent with or would impair the successful implementation of the state's biodiversity strategies.



### **Departments Impacted & Why**

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The City's land management departments, e.g., Recreation and Parks or the Port, could be affected insofar as the state's biodiversity strategies could make more money available via state grant programs.

### **Fiscal Impact**

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To date, no fiscal impact has been noted for this bill.

### **Support / Opposition**

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Support: Surfrider Foundation, Center for Biological Diversity, Social Compassion in Legislation. Opposition: Not known, if any.

Date Submitted	4/5/2021
Submitting Department	ENV
Contact Name	Jen Jackson
Contact Email	<a href="mailto:Jen.jackson@sfgov.org">Jen.jackson@sfgov.org</a>
Contact Phone	415-355-3758
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 1200**  
**Asm. Ting, District 19, Democrat**  
**Hazardous Chemicals in Food Packaging and Cookware**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
 OTHER & Describe

**Summary**

Would ban the use of fluorinated chemicals from food packaging and require any durable cookware that claims to eliminate one fluorinated chemical to disclose whether any other fluorinated chemical is present.

**Background/Analysis**

Fluorochemicals are a class of chemicals linked to cancer, thyroid disruption, cardiovascular and kidney dysfunction and other human health concerns. These chemicals can migrate from food packaging and cookware into food and present a source of exposure to those consuming the food. These chemicals are commonly dubbed "forever chemicals" because they do not fully degrade in the environment, posing a persistent source of pollution for millennia to come.

**Challenge**

San Francisco banned the use of fluorinated chemicals in take-out foodware to prevent these chemicals from contaminating compost. However, there are many other types of food packaging, such as popcorn bags, cereal boxes and laminated wrappers than may contain fluorinated chemicals. Eliminating these toxic, persistent chemicals from food packaging will not only reduce

sources of exposure to humans, it will also ensure that more food packaging is readily recyclable.

Most non-stick cookware has historically contained fluorinated chemicals; when two chemicals in the class of fluorinated chemicals – PFOA and PFOS -- became widely known to cause human health impacts, manufacturers of cookware simply switched to similar fluorinated chemicals. Marketing claims indicating these products were PFOA or PFOS-free, did not provide consumers with information about the substitute chemicals, which could pose similar health harms.

**Solution/Recommended Proposal**

This bill would no longer allow fluorinated chemicals in food packaging and would not allow marketing claims to solely identify one chemical within the class of chemicals.

**Departments Impacted & Why**

SFPUC supports elimination of fluorinated chemicals from products, as they are a source of contamination to wastewater.

**Fiscal Impact**

N/A

**Support / Opposition**

NRDC, Breast Cancer Prevention Partners, Clean Water Action, Environmental Working Group, Bay Area wastewater utilities

Date Submitted	4/5/2021
Submitting Department	Environment
Contact Name	Kevin Drew
Contact Email	<a href="mailto:Kevin.drew@sfgov.org">Kevin.drew@sfgov.org</a>
Contact Phone	415-939-5302
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**AB 1454**  
**Asm. Bloom, District 50, Democrat**  
**The California Beverage Container and Litter Reduction Act**

**Recommended Position**

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

**Summary**

Return to and sustain 80% or better recycling of all beverage containers *in all regions* of the state by using existing resources to provide targeted financial incentives to recyclers based on surveyed need.

**Background/Analysis**

Statewide beverage container recycling rates have fallen below 70% for the first time in 13 years. From 2009 to 2016, statewide rates were 80 percent or better. It also means that as much as \$140 million in consumer refund values are failing to be redeemed.

**Challenge**

CalRecycle's 2020 cost survey demonstrates that the current payment formula fails to cover the cost of recycling for the vast majority of recycling centers (85 percent of those surveyed in 2018).

**Solution/Recommended Proposal**

AB 1454 proposes to respond to these identified problems and more as follows:

- Provide immediate stabilization to the recycling infrastructure through targeted reinvestment of surplus recycling funds based on surveyed need;

- Provide immediate, short-term 'start-up' incentives to expand convenient consumer recycling in unserved/underserved areas;
- Update statutory framework to support innovation and more nimble response to evolving market conditions;
- Update rules and incentives for processors to support quality demands of a circular economy.

**Departments Impacted & Why**

SF Public Works – Some reduced beverage containers left in Parks, on streets etc. Not substantial impact

**Fiscal Impact**

None - funds generated from unredeemed CRV deposits

**Support**

Californians Against Waste  
Plastic Recycling Corporation of California

<b>Date Submitted</b>	4/5/2021
<b>Submitting Department</b>	ENV
<b>Contact Name</b>	Ciara Pringle
<b>Contact Email</b>	Ciara.pringle@sfgov.org
<b>Contact Phone</b>	415-355-3757
<b>Reviewed and approved by Department Head?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>Reviewed and approved by Commission?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**SB 207**  
**Sen. Dahle, Senate District 1, Republican**  
**Photovoltaic Recycling Advisory Group**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
 OTHER & Describe

**Summary**

SB 207 requires the Secretary for Environmental Protection to establish a Photovoltaic Recycling Advisory Committee consisting of specified members to review and advise the legislature on policies intended to recycle and recover photovoltaic panels and their components. This bill will also require the advisory committee to work with other relevant organizations to submit to the Legislature policy recommendations which ensure that 100% of photovoltaic panels in the state are reused or recycled in a safe and cost effective way.

**Background/Analysis**

In 2015, SB 489 (Monning, Chapter 419, Statutes of 2015) allowed DTSC the authority to adopt regulations to designate photovoltaic modules (solar panels) as universal hazardous waste. Universal hazardous wastes are commonly discarded items that present a lower risk than other hazardous wastes when managed according to established rules. The regulations were adopted in September 2020 and took effect in January 1, 2021. Designation as a universal hazardous waste facilitates the recovery, reuse, and recycling of photovoltaic panels.

**Challenge**

Under California law, the Renewable Portfolio Standard (RPS) requires 60% of all California's energy to be generated eligible renewable energy resources, including solar energy, by 2030.

According to the Solar Energy Industries Association, California will be decommissioning more solar panels than installing new solar panels in the next ten years. With more photovoltaic panels decommissioned and even more being manufactured to meet California's renewable energy goal by 2023, there is an urgent need to develop strategies and policies statewide to ensure that discarded panels will be recycled or recovered.

Currently few disposal options exist in California and most discarded panels are managed out of state or are stockpiled in violation of hazardous waste regulations.

**Solution/Recommended Proposal**

SB 207 will establish an Advisory Committee to develop and report to the legislature strategies and policies that aim to ensure the reuse or recycling of 100% of photovoltaic panels generated in California. We support this important effort with two amendments. We believe the time frame in the current legislation – 36 months to report to the Legislature – is too long and should be halved to 18 months. We also believe that the composition of the Committee should be expanded to include a representative of local government. Local governments are key stakeholders in the collection and

management of solid and hazardous waste and their perspective and experience will be essential to establish effective policy.

**Departments Impacted & Why**

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No other departments impacted.

**Fiscal Impact**

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None.

**Support / Opposition**

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Support: Rural County Representatives of California

Opposition: None received

Date Submitted	4/5/2021
Submitting Department	ENV
Contact Name	Cyndy Comerford
Contact Email	Cyndy.comerford@sfgov.org
Contact Phone	415-355-5012
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO X N/A

**SB 260**  
**Sen. Wiener, District 11, Democrat**  
**Corporate Climate Accountability Act**

**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**

SB 260 – the Corporation Accountability Act would require major corporations who do business in California and make over \$1 billion annually to publicly disclose their full carbon emissions to the State and the public in an understandable and accessible way. Corporations would then have to submit “science-based” reduction plans that must be approved by both a third-party auditor and the state.

**Background/Analysis**

This bill will require those major corporations to set science-based emission reduction targets in order to avoid global temperature increases over 1.5 degrees Celsius, which is what the International Panel on Climate Change (IPCC) says is what is necessary in order to avoid catastrophic climate change.

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board (CARB) to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with the act. The act requires the state board to make available, and update at least annually, on its internet website the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants

for each facility that reports to the state board, as provided.

This bill would require CARB on or before January 1, 2023, to develop and adopt regulations requiring publicly traded domestic and foreign corporations with annual revenues in excess of \$1 billion that do business in California to publicly disclose their greenhouse gas emissions.

**Challenge**

Climate change is an existential threat to San Francisco, California, and globally. With wildfires in California getting worse every year and sea levels rising, the people of San Francisco are already feeling serious impacts of climate change. It is imperative that all sectors of economy, including corporations make progress on climate change goals. Currently, many of the largest corporations doing business in California are not subject to carbon reporting laws, and those who do report their emissions usually do not report their full carbon footprint. Corporations who do currently report their emissions — in order to appear as though they have a smaller carbon footprint — may only report on some their activities, leaving out critical aspects of their supply chain and operations. The lack of transparency from corporate polluters makes it more difficult to regulate emissions and set appropriate reduction targets.

**Solution/Recommended Proposal**

SB 260 will help drastically reduce corporate pollution by providing an accurate

representation of corporate emission data and thus creating strong market incentives for companies to lower their emissions.

Under SB 260 companies will make annual public disclosures with a complete carbon emissions inventory encompassing three scopes: first, the corporations' direct emissions, including fuel combustion; second, their emissions from purchasing and using electricity; and third, indirect emissions stemming from a number of sources, mainly a corporation's supply chain. This will be the broadest and most comprehensive set of emissions reporting requirements in place for large corporations.

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**Departments Impacted & Why**

No other departments impacted.

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**Fiscal Impact**

No impact to San Francisco General Fund. Bill Analysis has not been completed at the State.

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**Support / Opposition**

Supported by:

California League of Conservation Voters.  
Many Environmental Organization such as  
Sunrise  
Carbon Accountable

Opposed by: None on record yet, but potentially California Business Roundtable and California Chamber of Commerce

Other:

Double-referred to the Env. Quality and Judiciary Committees. Set for hearing in EQ on April 12. No bill analysis complete yet

Date Submitted	4/5/2021
Submitting Department	Department of the Environment
Contact Name	Lowell Chu
Contact Email	<a href="mailto:lowell.chu@sfgov.org">lowell.chu@sfgov.org</a>
Contact Phone	415-355-3738
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

**SB 372**  
**Senator Leyva, District 20, Democrat**  
**Medium- and heavy-duty fleet purchasing assistance**  
**program: zero-emission vehicles**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
 OTHER & Describe

**Summary**

This bill would require the California Pollution Control Financing Authority to establish a program to make financing tools and nonfinancial supports available to the operators of medium- (MD) and heavy-duty (HD) vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. The bill would require the authority to consult with various state agencies and stakeholders in the development and implementation of the program.

**Background/Analysis**

Existing law, the California Pollution Control Financing Authority Act, establishes the California Pollution Control Financing Authority, with specified powers and duties, and authorizes the authority to approve financing for projects or pollution control facilities to prevent or reduce environmental pollution.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

**Challenge**

To improve air quality in the most affected San Francisco communities, it is critical to reduce the emissions from MD and HD vehicles. While representing a small percentage of all vehicles, MD and HD vehicles are responsible for about half of transportation PM of less than 2.5 micrometers in diameter (PM2.5) emissions in the City.

**Solution/Recommended Proposal**

This bill aligns with the City's zero emission vehicle goals and strategies, as described in the Citywide EV Roadmap.

Specifically, the bill will create a first-of-its-kind financing program to enable businesses to transition to MD and HD zero emissions vehicles. This could also facilitate the municipal fleet transition.

**Departments Impacted & Why**

Department of the Environment, potential funding source for Citywide EV Roadmap implementation.

City departments with MD/HD fleets may also be impacted.

**Fiscal Impact**

No research found.



**Support / Opposition**

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None currently on record.

Date Submitted	4/7/2021
Submitting Department	ENV
Contact Name	Hilary Near
Contact Email	<a href="mailto:Hilary.Near@sfgov.org">Hilary.Near@sfgov.org</a>
Contact Phone	415 355 3772
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

**SB 619**  
**Sen Laird, District 27, Democrat**  
**Lung health**

**Recommended Position**

- SPONSOR  SUPPORT  
 SUPPORT if amended  OPPOSE  
**X OTHER & Describe:**  
**Oppose unless amended**

**Summary**

The bill would delay until an unspecified year the implementation of statewide law to reduce short-lived climate pollutants, including organics going to landfill.

**Background/Analysis**

Currently SB 1383 will require jurisdictions to implement comprehensive organics collection programs to reduce organics going to landfill by January 1, 2022. We oppose a blanket delay of the law but would support if amended language included targeted delays for local government reporting, phased-in enforcement, and phased-in and/or modified procurement of organic waste product requirement.

**Challenge**

The bill is an effort to provide relief from those requirements that could financially impact California jurisdictions during recovery from the COVID-19 pandemic. San Francisco's comprehensive zero waste programs and policies already ensure our compliance with most of the statewide laws.

**Solution/Recommended Proposal**

Delaying the requirement to ensure that businesses have sufficient recycling and composting collection access because of COVID-19 impacts is not in line with our statewide climate and recycling goals. In addition, the requirements as they stand will ensure that new and re-opening businesses are set up for proper separation of discards to avoid further climate impacts of our discards.

**Departments Impacted & Why**

Department of the Environment implements most of the current statewide mandates affecting solid waste and does not anticipate any consequences due to the proposed bill.

**Fiscal Impact**

No current fiscal impact anticipated.

**Support / Opposition**

No current support or opposition registered related to the bill as introduced.