

BOMA CALIFORNIA

HIGH PRIORITY BILLS

AS OF APRIL 19, 2018

[AB 166](#) (Salas D) Building Homes and Jobs Act: recording fee: hardship refund.

Status: 1/4/2018-Ordered to the Senate. In Senate. Held at Desk.

Summary: Current law authorizes a fee for recording and indexing every instrument, paper, or notice required or permitted by law to be recorded, not to exceed \$10 for the first page and \$3 for each additional page, to reimburse a county for the costs of specified services relating to recording those documents. Current law authorizes various additional recording fees for specified purposes. This bill would authorize a property owner to request a refund based on hardship of a fee, proposed to be imposed by SB 2, if he or she files a claim with the county recorder, in the county in which the fee was collected, that certifies under penalty of perjury that he or she meets specified criteria related to household income and the fee was levied and collected as part of a transaction to a refinance of the property that was the subject of the recording.

Position

OPPOSE

[AB 238](#) (Steinorth R) Emergency response: trauma kits.

Status: 2/26/2018-Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(c).

Summary: Would define "trauma kit" to mean a first aid response kit that contains specified items, including, among other things, at least 2 tourniquets. The bill would require a person or entity that supplies a trauma kit to provide the person or entity that acquires the trauma kit with all information governing the use, installation, operation, training, and maintenance of the trauma kit. The bill would apply the provisions governing civil liability as specified to a lay rescuer or person who renders emergency care or treatment by using a trauma kit and to a person or entity that provides training in the use of a trauma kit to provide emergency medical treatment, or certifies certain persons in the use of a trauma kit.

Position

MONITOR

[AB 1423](#) (Chiu D) Tidelands and submerged lands: City and County of San Francisco: seawall lots: affordable housing.

Status: 4/12/2018-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.

Summary: Under current law, the Burton Act and the Burton Act transfer agreement, the interest of the state in and to the Harbor of San Francisco was transferred in trust to the City and County of San Francisco. Current law authorizes the port to provide a rent credit or other waiver or deferral of rent in connection with a nontrust lease of seawall lot 322-1 that results in an effective rent to the port below fair market value, if the commission finds, among other things, that the nontrust lease is for affordable housing. Current law imposes certain requirements on the port with regard to the construction of affordable housing on seawall lot 322-1. This bill would revise the definition of "affordable housing" to mean a structure that provides housing for very low, low-, or moderate-income households, as defined, and specifically for seawall lot 322-1 to include

housing for persons and families of low or moderate income, as defined, persons and families from very low income households, as defined, or persons and families from extremely low income households, as defined.

Position

MONITOR

AB 1857 (Nazarian D) Building codes: earthquake safety: immediate occupancy standard.

Status: 4/16/2018-Re-referred to Com. on APPR.

Summary: Would require the California Building Standards Commission to assemble a functional recovery working group comprised of certain state entities and members of the construction and insurance industries, as specified. The bill would require the group, by July 1, 2020, to investigate and determine criteria for a "functional recovery" standard following a seismic event, for all or some building occupancy classifications and to direct the commission to propose the appropriate building standards, as specified. The bill would require the commission to produce a document providing guidance to, among others, building owners and local jurisdictions regarding function recovery after a seismic event, in the event that new building standards are not in place by January 1, 2023, as specified.

Position

OPPOSE

AB 1976 (Limón D) Employment: lactation accommodation.

Status: 4/9/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Current law requires every employer to provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child and requires an employer to make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area for the employee to express milk in private. This bill would instead require an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for these purposes.

Position

OPPOSE

AB 2069 (Bonta D) Medicinal cannabis: employment discrimination.

Status: 4/17/2018-Re-referred to Com. on L. & E.

Summary: Would provide that, when used to treat a known physical or mental disability or known medical condition, the medical use of cannabis by a qualified patient or person with an identification card is subject to reasonable accommodation. The bill would provide that it does not prohibit an employer from refusing to hire an individual or discharging an employee who is a qualified or person with an identification card, if hiring or failing to discharge an employee would cause the employer to lose a monetary or licensing-related benefit under federal law. The bill would also provide that it does not prohibit an employer from terminating the employment of, or taking corrective action against, an employee who is impaired on the property or premises of the place of employment or during the hours of employment because of the use of cannabis.

Position

OPPOSE

[AB 2079](#) ([Gonzalez Fletcher D](#)) **Janitorial workers: sexual violence and harassment prevention training.**

Status: 4/18/2018-Re-referred to Com. on L. & E.

Summary: Current law, effective July 1, 2018, requires employers of employees who provide janitorial services, as specified, to register with the commissioner annually and prohibits them from conducting business without a registration. Current law requires an application for registration to be in a form prescribed by the commissioner and subscribed and sworn to by the employer, as specified. This bill would prohibit the Division of Labor Standards Enforcement from approving a registration, as described above, if the employer does not include in his or her written application the name of any subcontractor or franchise servicing contracts affiliated with a branch location and the number of subcontracted or franchise employees servicing each of those contracts, the total number of employees working out of a listed branch office, and the address of each work location serviced by a branch office.

Position

OPPOSE

[AB 2110](#) ([Eggman D](#)) **Electronics: Right to Repair Act.**

Status: 4/17/2018-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Would enact the Right to Repair Act. The bill would, except as provided, require the original equipment manufacturer of electronic equipment or parts sold and used in the state to, among other things, provide to independent repair providers and owners of the equipment certain parts, tools, and information, including diagnostic and repair information, as specified, for the purpose of providing a fair marketplace for the repair of that equipment. The bill would require compliance with these provisions for equipment or parts that are no longer manufactured for 5 years after the date the original equipment manufacturer ceases to manufacture the equipment or parts.

Position

OPPOSE

[AB 2173](#) ([Santiago D](#)) **Commercial real property: termination of tenancy: disposition of personal property.**

Status: 4/5/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Would change the calculation of the total resale value of the personal property, for purposes of these provisions, to either \$2,500 or an amount equal to one month's rent for the premises the tenant occupied, whichever is greater.

Position

SUPPORT

[AB 2343](#) ([Chiu D](#)) **Real property: possession: unlawful detainer.**

Status: 4/18/2018-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 17).

Summary: Current law prohibits a lessor who has retaliated against a lessee for exercising his or her rights from recovering possession of a dwelling, increasing the rent, or decreasing services within 180 days of the occurrence of specified events, provided that the lessee is not in default on his or her rent. This bill would provide that these protections apply to a lessee who is in default on his or her rent if he or she lawfully organized or participated in a lessees' association or organization advocating lessees' rights.

Position

OPPOSE

[AB 2475](#) (Ting D) State-owned property: sustainable landscaping.

Status: 4/18/2018-Re-referred to Com. on A. & A.R.

Summary: Would require the Department of General Services to review, at least every 5 years, any existing regulations and practices for sustainability, energy efficiency, and water efficiency requirements for landscapes on state-owned real property to ensure those regulations and practices reflect the most current sustainability and efficiency standards available.

Position

MON/OPP

[AB 2485](#) (Chau D) Code enforcement: financially interested parties.

Status: 4/17/2018-Re-referred to Com. on L. GOV.

Summary: Would prohibit a local official, as defined, who inspects a commercial property or business for compliance with a state statute or regulation or local ordinance from being accompanied during the inspection by a person with a potential financial interest in the outcome of the inspection, as defined, unless the person is the owner of the property or business, is the agent or representative of the owner, or has an existing contract, as specified. This bill contains other related provisions.

Position

OPPOSE

[AB 2529](#) (Chu D) Income taxation: like kind exchanges: withholding.

Status: 4/16/2018-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law requires the transferee of a California real property interest, in specified circumstances, to withhold for income tax purposes 31/3% of the sales price of the property when the property is acquired from an individual, or a partnership or corporation without a permanent place of business, as specified. Existing law allows a credit against the tax to the recipient of the income for the taxable year in which that amount was withheld under these provisions. Current law exempts from the withholding requirements real property that is exchanged, or will be exchanged, for property of like kind, as defined, and that qualifies for nonrecognition treatment under California income or franchise tax purposes. This bill would require income tax withholding, as provided, for like kind transfers for out-of-state properties that occur on or after January 1, 2019.

Position

OPPOSE

[AB 2577](#) (Gray D) Personal income taxes: deductions: labor organization dues.

Status: 4/18/2018-In committee: Set, first hearing. Referred to APPR. suspense file.

Summary: Would, for each taxable year beginning on or after January 1, 2018, and before January 1, 2023, allow as a deduction from gross income an amount equal to the amount paid or incurred for member dues paid by a taxpayer during the taxable year to specified labor organizations. This bill contains other related provisions.

Position

OPPOSE

[AB 2618](#) (Bonta D) Hiring of real property: Department of Real Estate: landlords and property managers: training.

Status: 4/18/2018-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 17).

Summary: Would require the Department of Real Estate to administer a certification program for landlords and property managers, as defined, to provide education to landlords and property managers on fair practices and tenant rights. The bill would make this certification effective for a period of 2 years. The bill would authorize the department to identify and approve appropriate providers of the educational coursework, as specified. The bill would make a person who acts as a landlord or property manager without first having obtained certification from the department subject to a specified civil penalty.

Position

OPPOSE

[AB 2648](#) (Friedman D) Civil actions: limitations: real property.

Status: 4/16/2018-Re-referred to Com. on JUD. In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law prohibits an action from being brought to recover damages from any person, or the person's surety, who develops real property or performs or furnishes the design, specifications, surveying, planning, supervision, testing, or observation of construction or construction of an improvement to real property more than 10 years after the substantial completion of the development or improvement, as specified. Current law provides that the 10-year statute of limitation does not apply to actions based on willful misconduct or fraudulent concealment. This bill would similarly provide that an action for personal injury resulting from water contamination must be commenced no later than 10 years after the plaintiff discovered the injury, and would make technical, nonsubstantive changes to the provisions.

Position

OPPOSE

[AB 2681](#) (Nazarian D) Seismic safety: potentially vulnerable buildings.

Status: 4/18/2018-Action From G.O.: Do pass.To L. GOV..

Summary: Current law establishes a program within all cities and all counties and portions thereof located within seismic zone 4, as defined, to identify all potentially hazardous buildings and to establish a mitigation program for these buildings. This bill would, upon the identification of funding by the Office of Emergency Services, require each building department of a city or county to create an inventory of potentially vulnerable buildings, as defined, within its jurisdiction, based

on age and other publicly available information, and submit that inventory to the office, as specified. By increasing the duties of local officials, this bill would create a state-mandated local program.

Position

MON/OPP

[AB 2731](#) ([Gipson](#) D) **Income taxes: investment management services interest.**

Status: 3/8/2018-Referred to Com. on REV. & TAX.

Summary: The Personal Income Tax Law imposes taxes based upon taxable income of individuals, estates, and trusts at specified rates from 1% to 9.3%, as provided. This bill would impose a tax of 17% on that portion of an individual's taxable income derived from an investment management services interest, as defined

Position

OPPOSE

[AB 2847](#) ([Rubio](#) D) **Commercial real property: tenancy: abandonment.**

Status: 4/2/2018-Re-referred to Com. on JUD.

Summary: Would provide that if a lessee of commercial real property remains in possession after the expiration of the hiring, the lessor's acceptance of rent from the lessee does not renew the hiring, but instead only mitigates any damage that the lessor may incur by reason of the lessee's failure to leave on time.

Position

SUPPORT

[AB 3232](#) ([Friedman](#) D) **Zero-emissions buildings and sources of heat energy.**

Status: 4/18/2018-From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & E. Read second time and amended.

Summary: Would require the State Energy Resources Conservation and Development Commission, by January 1, 2020, to develop a plan to achieve the goal that the emissions of greenhouse gases from the state's residential and commercial building stock shall be reduced by at least 40% below 1990 levels by January 1, 2030. The bill would require this plan to include cost-effective strategies to reduce emissions from both new and existing residential and commercial buildings, as specified.

Position

OPPOSE

[SB 937](#) ([Wiener](#) D) **Lactation accommodation.**

Status: 4/18/2018-From committee: Do pass and re-refer to Com. on T. & H. (Ayes 5. Noes 2.) (April 17). Re-referred to Com. on T. & H.

Summary: Would require a lactation room or location to include prescribed features and would require an employer to provide access to a sink and refrigerator in close proximity to the employee's work space. The bill would establish a procedure for an employer with fewer than 5

employees to apply to the Division of Labor Standards Enforcement for an undue hardship exemption from the lactation room or location requirement. The bill would require an employer to develop and implement a policy regarding lactation accommodation and make it available to employees, as specified.

Position

OPPOSE

SB 993 (Hertzberg D) Sales tax: services.

Status: 2/14/2018-Referred to Com. on GOV. & F.

Summary: Would, on and after January 1, 2019, expand the Sales and Use Tax Law to impose a tax on the purchase of services by businesses in California at a specified percentage of the sales price of the service. The bill would require the tax to be collected and remitted by the seller of the purchased services. The bill would exempt certain types of services, including health care services, from the tax and would exempt from the tax a business with gross receipts of less than \$100,000 in the previous 4 quarters.

Position

OPPOSE

SB 1341 (Glazer D) California Environmental Quality Act: judicial challenge: identification of contributors.

Status: 4/17/2018-April 18 set for first hearing canceled at the request of author.

Summary: Would require a plaintiff or petitioner, in an action brought pursuant to the California Environmental Quality Act, to disclose the identity of a person or entity that contributes in excess of \$1,000, as specified, toward the plaintiff's or petitioner's costs of the action. The bill also would require the plaintiff or petitioner to identify any pecuniary or business interest related to the project of any person or entity that contributes in excess of \$1,000 to the costs of the action, as specified. The bill would provide that a failure to comply with these requirements may be grounds for dismissal of the action by the court.

Position

SUPPORT

SB 1397 (Hill D) Automated external defibrillators: requirement: modifications to existing buildings.

Status: 4/17/2018-Read second time and amended. Re-referred to Com. on APPR.

Summary: Current law requires certain occupied structures that are not owned or operated by any local government entity and are constructed on or after January 1, 2017, to have an automated external defibrillator (AED) on the premises. This bill would apply the AED requirements to certain structures that are constructed prior to January 1, 2017, and subject to subsequent modifications, renovations, or tenant improvements, as specified.

Position

SUPPORT

SB 1477 (Stern D) Zero-emissions buildings and sources of heat energy.

Status: 4/18/2018-Action From E.Q.: Do pass as amended.To APPR..

Summary: Would require the State Energy Resources Conservation and Development Commission to develop a statewide market development initiative to advance the state's market for low-emission space and water heating equipment for new and existing residential and nonresidential buildings. The bill would require the commission, as a part of the initiative, to identify and target key low-emission space and water heating technologies that would assist the state in meeting its greenhouse gas emissions reduction goals.

Position

SUPPORT

Total Measures: 25
Total Tracking Forms: 25