



## 2023 HOUSING BILLS OF INTEREST

November 2, 2023

### Bills Signed into Law

Bill #	5Ps/	Description
AB 12 (Haney, D-San Francisco)	Protection	Bans landlords from charging more than one month's rent as a security deposit for both furnished and unfurnished apartments in most circumstances.
AB 84 (Ward, D-San Diego)	Production	Expands the low-income housing welfare property tax exemption by authorizing 501(c)(3) bonds as an eligible form of financing and permits, for five years, a unit in a development that is not financed with low-income housing tax credits (LIHTCs) to remain eligible if the tenant's income rises to no more than 100% of the area median income (AMI).
AB 323 (Holden, D-Pasadena)	Production	Specifies that a developer can sell a unit intended for occupancy by a lower- or moderate-income household pursuant to density bonus law or inclusionary requirements to a qualified nonprofit housing corporation if, after 180 days of the issuance of the Certificate of Occupancy, an eligible buyer cannot be found. The nonprofit would be required to ensure owner occupancy of the unit.
AB 434 (Grayson, D-Concord)	Production (Accountability)	Increases accountability for adherence with State laws by adding additional laws to the list of those that the Department of Housing and Community Development is required to enforce, including various laws governing the siting of ADUs and Junior ADUs and Senate Bill 9 (which allows for up to four units on a single-family lot).
AB 480 (Ting, D-San Francisco)	Production	Makes changes to State Surplus Lands Law to close enforcement loopholes and strengthen and clarify penalty provisions of the SLA, in addition to a number of technical, clarifying, and conforming changes.
AB 529 (Gabriel, D-Woodland Hills)	Production	Requires the Department of Housing and Community Development to convene a working group to study adaptive reuse residential projects, including identifying and recommending amendments to state building standards. Makes other changes to State law related to adaptive reuse projects and requires HCD to report its findings to the Legislature no later than December 31, 2025.
AB 531 (Irwin, D-Thousand Oaks)	Production (Funding)	Enacts the Behavioral Health Infrastructure Bond Act of 2023, which requires voter approval and would authorize the issuance of \$6.38 billion in funding for the construction of community treatment beds and homes for veterans and others who are experiencing or at risk of homelessness. The bill requires a vote of the people and would appear on the March 2024 ballot.

2023 HOUSING BILLS OF INTEREST

Bill #	5Ps/	Description
AB 572 (Haney, D-San Francisco)	Preservation/ Protection	Caps annual Homeowner Association Fees increases for deed-restricted affordable homeownership housing to 5% annually plus a COLA, not to exceed 10%. Exempts certain affordable developments, including developments smaller than 20 units.
AB 785 (Santiago, D-Los Angeles)	Production (Regional/ CEQA)	Exempts affordable housing and transitional housing projects for youth and young adults in the City of Los Angeles and unincorporated areas of the County from CEQA. Extends an existing exemption for shelters and supportive housing developments in Los Angeles to unincorporated parts of the County. Sunsets all exemptions in 2030.
AB 821 (Grayson, D-Concord)	Production	AB 821 (Grayson) would requires local agencies that have zoning ordinances that are inconsistent with their general plan and that receive a development application to apply the objective development standards in the general plan or to rezone within 90 days to create consistency between the zoning ordinance and the general plan.
AB 976 (Ting, D-San Francisco)	Production	Makes permanent the existing prohibition on local government’s ability to require owner-occupancy on a parcel containing an ADU, which is set to expire on January 1, 2025.
AB 1033 (Ting, D- San Francisco)	Production	Enables property owners in participating localities to build an ADU on their parcel and sell it to a new homeowner, creating a new and more affordable opportunity for homeownership. Prior law prohibited the separate conveyance of ADUs.
AB 1418 (McKinnor , D-Inglewood)	Protection	Prohibits cities and counties from enacting “crime-free” housing programs and nuisance ordinances that require landlords to evict people when a household member is a convicted felon.
AB 1114 (Haney, D-San Francisco)	Production	Expands the types of post-entitlement permits that are subject to mandated processing timelines to include discretionary permits. Specifies that once a local agency determines that a permit is compliant, they cannot subject the permit to any appeals or additional hearing requirements.
AB 1287 (Alvarez, D-Chula Vista)	Production	Requires that a jurisdiction grant an additional density bonus if a developer agrees to include additional low or moderate-income units on top of the maximum number of required lower-, very-low, or moderate-income units if the development conforms to specified requirements.
AB 1307 (Wicks, D-Oakland)	Production (CEQA)	Reverses a recent court decision in the City of Berkeley’s People’s Park case by clarifying that the sound of resident’s voices shouldn’t be considered an environmental impact under CEQA. This is an urgency measure, so it went into effect upon the Governor’s signature.
AB 1319 (Wicks, D-Oakland)	Prod/ Pres/ Protection (Regional)	Makes clean-up changes to AB 1487, which created the Bay Area Housing Finance Authority (BAHFA). Amends the process for raising, using, and allocating resources.

2023 HOUSING BILLS OF INTEREST

Bill #	5Ps/	Description
AB 1449 (Alvarez, D-Chula Vista)	Production (CEQA)	Exempts 100% affordable housing funded through the Low Income Housing Tax Credit Program from CEQA as long as it meets rigorous labor standards and complies with specified environmental requirements. This exemption would expire on January 1, 2033.
AB 1485 (Haney, D-San Francisco)	Production (Accountability)	Permits the Office of the Attorney General and the Department of Housing and Community Development to intervene as a matter of unconditional right in any legal action addressing a violation of the housing laws initiated by a third party.
AB 1490 (Lee, D-Milpitas)	Production	Enables the development of ELI affordable adaptive reuse housing developments, regardless of inconsistencies with a local agency's general plan, specific plan, zoning ordinance, or regulation as long as it meets objective planning standards. Requires that any local affordable housing funding source include adaptive reuse as an eligible project.
AB 1607 (Wendy Carrillo, D-Los Angeles)	Regional Bill	Allows the Los Angeles County Affordable Housing Solutions Agency (LACAUSA) to transfer a portion of revenue raised by a tax measure to the County of Los Angeles for programs that provide supports and services to prevent and combat homelessness.
AB 1633 (Ting, D-San Francisco)	Production (CEQA)	Reduces CEQA abuse by jurisdictions that attempt to block new homes that have already been found in compliance with local and State land use and environmental regulations by providing that a disapproval under the Housing Accountability Act includes a local agency's failure to make a determination of whether a project is exempt from CEQA, abuse of discretion, or failure to adopt certain environmental documents under specified circumstances.
ACA 1 (Aguiar-Curry, D-Winters)	Production	Lowers the voter threshold from 2/3 to 55% for affordable housing bond measures. Changing this rule will give local communities the tools they need to invest in affordable housing, and the accountability to ensure it produces results. This initiative will undergo clean-up language and changes to maximize impact, so it will go back through the legislative process in the early part of the 2024 session, and then head to voters' ballots likely in November 2024.
ACA 13	Vote Threshold	Adds a Constitutional Measure to the November ballot to require that any initiative constitutional amendment comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the State Constitution the ability of local governments to submit advisory questions to voters.
SB 4 (Wiener, D-San Francisco)	Production	Streamlines the development of new affordable homes on land owned by faith-based institutions and nonprofit colleges by allowing multifamily housing by right, regardless of local zoning restrictions, as long as it is consistent with all local objective standards and complies with certain environmental protections.
SB 20 (Rubio, D-Baldwin Park)	Production	Authorizes two or more local agencies to enter into a joint powers agreement to create a regional housing trust fund for people experiencing homelessness and lower-income families.
SB 91 (Umberg, D-Santa Ana)	Production (CEQA)	Eliminates the current January 1, 2025 sunset that exempts from CEQA projects related to the conversion of a structure with a certificate of occupancy as a motel, hotel, residential hotel, or hostel to supportive or transitional housing, as

2023 HOUSING BILLS OF INTEREST

Bill #	5Ps/	Description
		defined, that meet certain conditions. Extends CEQA streamlining provisions for “environmental leadership transit projects within the County of Los Angeles that meet certain conditions.”
SB 406 (Cortese, D-San Jose)	Production (CEQA)	Eliminates duplicative review for affordable housing projects by extending an existing law that exempts State-financed affordable housing developments from CEQA review to include financing provided by local agencies, provided that the project undergoes a CEQA review by another public agency. The project itself would still be subject to CEQA.
SB 423 (Wiener, D-San Francisco)	Production	Extends and strengthens SB 35 (2017) to further streamline and accelerate housing permits in localities that are underperforming in meeting RHNA goals. The bill extends the current sunset date (which expires in 2025) to January 1, 2036. It would also alter labor requirements and expand the bill’s provisions to include properties in the coastal zone in some circumstances.
SB 439 (Skinner, D-Berkeley)	Production (CEQA)	Provides courts with a new special motion to dismiss frivolous lawsuits seeking to halt 100% affordable housing developments, including but not limited to suits brought under state environmental laws. When lawsuits are deemed meritless and dismissed, the bill also allows affordable housing developers to recover costs and attorney’s fees.
SB 469 (Allen, D-Redondo Beach)	Production	Provides that Article 34 of the State Constitution, which requires that affordable housing developments be approved by the voters, does not apply to housing developments that receive funding from any State housing program administered by HCD, CalHFA or BCSH, or any housing projects receiving State or federal Low Income Housing Tax Credits. Only projects that receive all of their funding from local sources would still be subject to Article 34 approval requirements.
SB 555 (Wahab, D-Fremont)	Production	Creates the Stable Affordable Housing Act of 2023 to study the opportunity for social housing through a mix of acquisition and new construction. Requires HCD to develop, adopt, and submit to the Legislature a Social Housing Study by December 31, 2026.
SB 567 (Durazo, D-Los Angeles)	Protection	Makes revisions to the no-fault just cause eviction provisions of the Tenant Protection Act of 2019 (TPA) and provides additional enforcement mechanisms for violations of restrictions on no-fault just cause evictions and residential rent increases.
SB 684 (Caballero, D-Merced)	Production	Requires jurisdictions to ministerially approve, without discretionary review or hearing, a parcel map or a tentative and final map for specified projects in urban areas that include 10 or fewer housing units.

## Bills Vetoed

Bill #	6 Ps	Description
AB 309 (Lee, D-Milpitas)	Production	Enacts the Social Housing Program within the State Department of General Services. Provides for the development of up to three social housing projects on State-owned land that has been declared surplus.