



# State Legislative Update and Legislation for Consideration

BART Board of Directors  
June 9, 2022



# State Legislative Update

## **Fiscal Year (FY) 2022-23 Budget**

- Joint Legislative Budget Agreement released on June 1.
  - Includes \$10.9B transportation package over four years and placeholder language related to appropriation of Proposition 1A funds for High Speed Rail.
  - Rejects the Governor's \$750M fare free proposal.
- Legislature must approve a Budget by June 15 and Governor must sign it by June 30.

## **Legislative Calendar At-a-Glance**

- May 27 - House of origin deadline
- June 30 – Last day for Legislature to place a measure on the November ballot
- July 1 – Policy committee deadline and beginning of Summer Recess until August 1
- August 12 – Last day for Appropriations Committees to meet
- August 31 – Last day for each house to pass bills; Legislature adjourns
- September 30 – Last day for Governor to sign or veto bills

# Update on Priority Legislation

## **SB 917 (Becker) Seamless Transit Transformation Act Current Position - Support if Amended**

### **Summary of Amendments from April 18:**

- Revise implementation deadlines associated with a Connected Network Plan, regional mapping and wayfinding system, and real time transit information/open data standards.
- Establish a transit priority network within the region's Connected Network Plan.
- Recast the multi-agency pass and common regional fare structure as three-year pilot programs to be implemented only if sufficient funding is secured.
- Clarify transit agency adherence to future mapping and wayfinding system and permitted use of transit agency branding.
- Clarify that nothing shall preclude agencies from using or sharing real-time data collected.
- Soften provisions related to the withholding of State Transit Assistance (STA) funds; among other changes, a transit agency found by MTC not in compliance with requirements of the bill would be allowed to request additional funding or an exemption, and any withheld funds would be restored once an agency comes into compliance.

# Update on Priority Legislation

## **SB 917 (Becker) Seamless Transit Transformation Act** **Current Position - Support if Amended**

### **Continued Areas of Concern**

- Approval by transit agency governing boards is not defined within the development and adoption of an integrated fare structure.
- Regional transit coordinating council is ill-defined. Council *may* include transit agency representation, but no formal role in approving or rejecting proposals is described.
- Under the proposed three-year pilot for a common regional fare structure, BART's fare setting authority is shifted to the Metropolitan Transportation Commission.
- Accountability gap created between the fare setting entity and agencies providing service.
- Sufficient annual funding has not been identified to sustain the fare integration work or other efforts over time.

# Update on Priority Legislation

## **SB 1488 (Glazer) Office of the BART Inspector General (OIG)**

### **Current Position - Oppose Unless Amended**

#### **General agreement with the OIG and author's office on:**

- A definition of “abuse” consistent with public agency auditors/controllers.
- Original jurisdiction of the OIG as to not interfere, unduly influence, or undermine the independence of the Office of Civil Rights or the Office of the Independent Police Auditor.
- Access to confidential records and exemptions from disclosure.
- Implementation and enforcement of subpoena authority.
- Reporting requirements of the General Manager or Board Appointed Officer.
- OIG's adherence to all applicable laws regarding hiring and procurement activities.
- Coordination with the District on establishment of a separate system for maintaining emails and records.

#### **Discussions continue regarding:**

- Standard for removal of the Inspector General.
- OIG procedures for interviewing employees in compliance with their current rights.

# State Legislation to *SUPPORT*

## **AB 1621 (Gipson) – Firearms: unserialized firearms**

- Revises the Penal Code definition of a “firearm” and “firearm precursor part” to include unserialized parts and kits that can be readily converted into ghost guns.
- Prohibits a person from possessing or manufacturing a firearm precursor part without authorization.

## **AB 2011 (Wicks) – Affordable Housing and High Road Jobs Act of 2022**

- Would make certain housing developments that meet specified affordability, site criteria, and objective design standards a use “by right” within an area currently zoned for office, retail, or parking as well as along “commercial corridors,” defined as non-freeway roads between 70 and 150 feet wide.
- A development proponent of a project approved must agree to pay construction workers prevailing wage and meet other labor standards.

# State Legislation to *SUPPORT*(Continued)

## **SB 1161 (Min) – Transit operations: street harassment plans**

- Requires, by June 20, 2023, the University of California Institute of Transportation Studies to develop a survey for specified transit operators to collect data on street harassment experienced by riders.
- Requires transit operators to collect survey data, by June 30, 2024, for the purpose of informing a plan to reduce street harassment.
- Requires transit operators to, on or before June 30, 2025, develop and implement a plan to reduce the street harassment and to consider the safety concerns and needs of impacted riders when planning, designing, and operating their systems.
- Plan shall be developed in consultation with certain groups including women, non-English speaking riders, and LGBTQ+ riders. Outreach shall also be conducted in multiple languages.
- A transit operator may meet some of the bill's requirements if it has acted on a plan to reduce street harassment on or after January 1, 2018.
- Requires a report to the Legislature and Governor by January 1, 2027.



# Additional State Legislation of Interest (for information only)

## **AB 1919 (Holden) – Youth Transit Pass Pilot Program**

Establishes the Youth Transit Pass Pilot Program to provide free transit passes for individuals under the age of 25. Grant funds could be used to develop and advertise free youth transit pass programs as well as to cover the costs of providing free transit services and of administering the program.

## **AB 1938 (Friedman) – Transit and Intercity Rail Recovery Task Force**

Creates a statewide Transit and Intercity Rail Recovery Task Force to make recommendations to the Legislature on how to grow transit and intercity rail ridership and improve transit and intercity rail operations for users of those services.

## **AB 2357 (Ting) – Surplus land**

Makes procedural changes to noticing provisions that apply to "surplus land" and "exempt surplus land" disposed of by local agencies subject to the Surplus Lands Act.

## **ACA 14 (Wicks) – Homelessness and affordable housing**

Amends the Constitution to require that five percent of General Fund revenues, each year for the next ten years, be placed in a new fund to support affordable housing, fund housing and services to prevent and end homelessness, and support homeownership opportunities for low and moderate-income households.