



▶ Legislation for Consideration
BART Board of Directors
May 11, 2023



2023 State Legislative Calendar At-a-Glance

- May 19 – Last day for fiscal committees to hear bills introduced in their house
- June 2 – House of origin deadline
- June 15 – Budget Bill must be passed by midnight
- July 14 – Last day for policy committees to meet
- July 14 to August 14 – Summer Recess
- September 1 – Last day for fiscal committees to meet
- September 8 – Last day to amend bills on the Floor
- September 14 – Last day for each house to pass bills
- October 14 – Last day for the Governor to sign or veto bills

State Legislation to *SUPPORT*

ACA 1 (Aguiar-Curry) – Local government financing: affordable housing and public infrastructure: voter approval

- Reduces the vote threshold to pass a general obligation bond or special tax from two-thirds to 55% if it is for public infrastructure, affordable housing, or permanent supportive housing, as defined.
- Legislative passage would place a constitutional amendment on the ballot to be approved by voters at a future statewide election.

AB 719 (Boerner Horvath) – Medi-Cal benefits

- Requires managed health care plans, under the direction of the Department of Health Care Services, to establish reimbursement rates for nonmedical and nonemergency medical trips provided by public transit operators.
- Would allow for higher reimbursement of certain paratransit trips provided by operators, including East Bay Paratransit.

State Legislation to *SUPPORT*(Continued)

AB 1377 (Friedman) – Homeless Housing, Assistance and Prevention program: Round 3

- Requires cities, counties and continuums of care that receive state Homeless Housing, Assistance and Prevention (HHAP) program funding to provide data and a narrative summary of specific and quantifiable steps that they have taken to improve the delivery of housing and services to people experiencing or at risk of experiencing homelessness on facilities owned and operated by transit districts in their jurisdictions.
- Creates an expectation that HHAP funding recipients address homelessness on transit facilities located in their jurisdictions.

State Legislation to *SUPPORT*(Continued)

SB 434 (Min) – Transit operators: street harassment survey

- Requires the state's top ten public transit operators by ridership, upon appropriations of funds by the Legislature, to collect survey data and conduct outreach activities for the purpose of informing efforts to improve the safety of riders and reduce street harassment on transit.
- “Street harassment” is defined as words, gestures or actions directed at a specific person in a public place, without the consent of that person, because of a characteristic such as sex, race, national origin, physical or mental disability, etc., that the person experiences as intimidating, terrorizing or otherwise threatening to their safety.
- Last year, Senator Min authored SB 1161, which required the Mineta Transportation Institute (MTI) at San Jose State University to develop and make available by December 31, 2023, a survey to allow for consistency in the collection of data to inform efforts to improve the safety of riders and reduce street harassment on transit.
- BART supported SB 1161, which passed the Legislature and was signed by the Governor.
- BART was selected to pilot the draft survey with riders and will be providing input on survey length and clarity to MTI.

Federal Legislation to *SUPPORT*

S. 24 (Feinstein) and H.R. 516 (Lieu) – The Fighting Homelessness Through Services and Housing Act

- Authorizes \$1 billion annually for five years, for a total of \$5 billion, for grants to local government entities to fund supportive housing models that provide comprehensive services and intensive case management.
- Grants would require a 25 percent match for services and housing from non-federal funds.
- Grants could be used for any combination of operations and capital building costs, as long as housing and services requirements are fulfilled.
- Services must address issues including mental health, substance use disorders, educational and job training opportunities, and life skills classes.
- Intensive case management must be provided with a ratio of no greater than 1 case manager to every 20 people served.
- Requires grant recipients to track outcomes and report on housing stability and improvements in health and wellbeing of those served.

State Legislation to *SUPPORT AND SEEK AMENDMENTS*

AB 930 (Friedman) – Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) Districts

- Authorizes two or more cities or counties to jointly form a RISE district, which a special district's governing body could vote to join, as a new tool for localities to use for the purpose of planning, financing, and facilitating development.
- Recent amendments removed special districts and transit agencies from the entities that are eligible to partner with cities and counties to form a RISE district, instead providing that the governing board of a special district can vote to join a RISE district.
- Staff recommend a Support and Seek Amendments position, seeking amendments to:
 - Restore the ability of transit districts to form RISE districts along with cities and counties.
 - Clarify language that “transit facilities and investments,” defined as part of “infill supportive structure,” include intercity and commuter rail.
 - Clarify that RISE districts can be formed around existing or planned future transit stations.
 - Restore exemptions from the California Environmental Quality Act (CEQA) for certain actions taken in the formation and operation of RISE districts.

Additional State Legislation of Interest (For Information Only)

OPEN MEETINGS

AB 557 (Hart) – Open meetings: local agencies: teleconferences

- Amends the Brown Act by eliminating the January 1, 2024, sunset date on provisions of law authorizing a local agency's legislative body to use teleconferencing for a public meeting without having to post agendas at each teleconference location, identify each teleconference location in the notice and agenda, make each teleconference location accessible to the public, and require at least a quorum of the body to participate from within the agency's jurisdiction during a proclaimed state of emergency.

SB 537 (Becker) – Open meetings: local agencies: teleconferences

- Amends the Brown Act to authorize an eligible legislative body, defined as a board, commission, or advisory body of a multijurisdictional, cross-county, or local agency, the members of which are appointed, to use teleconferencing until January 1, 2028, without having to make each teleconference location publicly accessible.
- Would expand the circumstances of "just cause" as currently defined under AB 2449 to include the need to participate remotely because of an immunocompromised child, parent, grandchild, sibling, spouse, or domestic partner.

Additional State Legislation of Interest (Continued)

TRANSIT/PUBLIC INFRASTRUCTURE

AB 463 (Hart) – Electricity: prioritization of service: public transit vehicles

- Requires a utility's wildfire mitigation plan to include protocols to mitigate effects on public transit vehicle electric charging during public safety power shutoffs (PSPS).
- Sponsored by the California Transit Association and AC Transit.

AB 761 (Friedman) – Transit Transformation Task Force

- Requires the Transportation Secretary to convene the Transit Transformation Task Force, with specified representation from operators and other stakeholders, to recommend to the Legislature ways to increase transit ridership and identify new options for state revenue sources, among other topics.

AB 819 (Bryan) – Crimes: public transportation: fare evasion

- Would no longer categorize as a misdemeanor a third or subsequent violation, by an adult, of evading fare payment. Would remove the potential of imprisonment in a county jail for up to 90 days and make violations punishable only by a fine of up to \$400.

AB 1525 (Bonta) – Transportation Agency: allocations for projects in priority communities

- Requires at least 60% of funds allocated for California Transportation Agency, Caltrans, or California Transportation Commission projects to be awarded to projects in “priority populations,” as defined.

Additional State Legislation of Interest (Continued)

HOUSING

AB 281 (Grayson) – Planning and zoning: housing: postentitlement phase permits

- Requires special districts to respond, within specified timeframes, to applications from housing development projects for any additional information that may be required to begin the process of reviewing the application for service or approval.

AB 480 (Ting) – Surplus land

- Changes the penalty provisions of the Surplus Land Act and makes procedural changes to noticing requirements when local agencies are disposing of “surplus land” and “exempt surplus land.”

AB 529 (Gabriel) – Adaptive reuse projects

- Adds conversion or redevelopment of commercial properties to the list of specified pro-housing local policies; Requires the Department of Housing and Community Development (HCD) to develop revisions to the state building code for adaptive reuse development projects.

AB 1449 (Alvarez) – Affordable housing: California Environmental Quality Act: exemption

- Exempts from the California Environmental Quality Act (CEQA), until January 1, 2033, certain actions taken by a public agency related to affordable housing projects, if certain requirements are met.

Additional State Legislation of Interest (Continued)

AB 1319 (Wicks) – Bay Area Housing Finance Authority: housing revenue

- Modifies how the Bay Area Housing Finance Authority (BAHFA) may collect and expend revenues; clarifies BAHFA may place more than one measure on a ballot, issue revenue bonds, and acquire, develop, and dispose of real property; Exempts certain actions taken by BAHFA from CEQA.

SB 4 (Wiener) – Planning and zoning: housing development: higher education institutions and religious institutions

- Requires housing development to be by-right, upon request of an applicant for streamlined approval, on land owned by an independent institution of higher education or religious institution.

SB 423 (Wiener) – Land use: streamlined housing approvals: multifamily housing developments

- Eliminates the January 1, 2026, sunset of SB 35 (Wiener, 2017), which subjects local governments to project streamlining if they fail to adopt a compliant housing element as determined by HCD; Adopts labor standards for prevailing wage set in AB 2011 (Wicks, 2022).

SB 747 (Caballero) – Land use: economic development: surplus land

- Makes numerous changes to the Surplus Lands Act, including expanding the definition of “exempt surplus land” to include land used for joint developments by a transit operator and another public agency.
- Redefines the term “agency’s use” to include use for transit or transit-oriented development.

Additional State Legislation of Interest (Continued)

MISCELLANEOUS

AB 518 (Wicks) – Paid family leave

- Expands paid family leave to allow an individual to take off work to care for a designated person with whom they have the equivalent of a family relationship, if they are not related by blood.

SB 2 (Portantino) – Firearms

- Restructures several provisions of law related to carrying concealed firearms in response to the 2022 US Supreme Court decision *New York State Rifle and Pistol Association v. Bruen*.

SB 328 (Dodd) – Political Reform Act of 1974: contribution limits

- Applies existing contribution limits for state legislative candidates to those seeking office as a member of a school district, community college district, or other special district governing board.