



## FDAC Legislative Status Report

Report Date: 2/15/2013

**AB 11** (**Logue R**) **Employees: reserve peace officers and emergency rescue personnel.**

**Current Text:** Amended: 1/28/2013 [pdf.html](#)

**Introduced:** 12/3/2012

**Last Amend:** 1/28/2013

**Status:** 1/29/2013-Re-referred to Com. on L. & E.

**Location:** 1/29/2013-A. L. & E.

**Summary:** Would revise provisions to require those employers employing 50 or more employees to permit an employee who performs emergency duty as a volunteer firefighter, reserve peace officer, or as emergency rescue personnel, as defined, to take the leave of absence for the purpose of engaging in fire, law enforcement, or emergency rescue training.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**AB 23** (**Donnelly R**) **State responsibility areas: fire prevention fees.**

**Current Text:** Amended: 2/11/2013 [pdf.html](#)

**Introduced:** 12/3/2012

**Last Amend:** 2/11/2013

**Status:** 2/12/2013-Re-referred to Com. on NAT. RES.

**Location:** 2/12/2013-A. NAT. RES.

**Summary:** Existing law requires the State Board of Forestry and Fire Protection, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure on a parcel that is within a state responsibility area, as defined, and requires that the fire prevention fee be adjusted annually using prescribed methods. This bill would repeal the above provisions relating to the fire prevention fees.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**AB 47** (**Gatto D**) **Emergency telephone system: abuse.**

**Current Text:** Introduced: 12/19/2012 [pdf.html](#)

**Introduced:** 12/19/2012

**Status:** 1/14/2013-Referred to Com. on PUB. S.

**Location:** 1/14/2013-A. PUB. S.

**Summary:** Would provide that any person who calls the 911 telephone system to dispatch a police response to a residence or place of business where there is no emergency, with the intent to annoy or harass another person, and police are dispatched

as a result of the call, is guilty of a misdemeanor punishable by a fine not exceeding \$10,000, by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment. This bill would exempt from its provisions telephone calls made in good faith. By increasing the penalty for an existing crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Support_If_Amended		RHeim	

**[AB 120](#) (Committee on Environmental Safety and Toxic Materi) Underground storage tanks: school districts.**

**Current Text:** Introduced: 1/14/2013 [pdf](#) [html](#)

**Introduced:** 1/14/2013

**Status:** 1/18/2013-Referred to Com. on E.S. & T.M.

**Location:** 1/18/2013-A. E.S. & T.M.

**Summary:** Would require the State Water Resources Control Board to waive the underground storage tank permit requirement for claims reimbursed from the School District Account in the Underground Storage Tank Cleanup Fund if the superintendent of the school district receiving the reimbursement certifies to the board that petroleum was not delivered on or after January 1, 2003, to the tank that is the subject of the claim or the tank was removed before January 1, 2003.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**[AB 124](#) (Morrell R) State responsibility areas: fire prevention fees.**

**Current Text:** Introduced: 1/14/2013 [pdf](#) [html](#)

**Introduced:** 1/14/2013

**Status:** 2/7/2013-Referred to Com. on NAT. RES.

**Location:** 2/7/2013-A. NAT. RES.

**Summary:** Existing law requires that the fire prevention fees collected, except as provided, be deposited into the State Responsibility Area Fire Prevention Fund and be made available to the State Board of Equalization and the Department of Forestry and Fire Protection for certain specified fire prevention activities that benefit the owners of structures in state responsibility areas who are required to pay the fee. Existing law further requires the board, on and after January 1, 2013, to submit an annual written report to the Legislature on specified topics. This bill would repeal these provisions.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**[AB 127](#) (Skinner D) Fire safety: fire retardants: building insulation.**

**Current Text:** Introduced: 1/14/2013 [pdf](#) [html](#)

**Introduced:** 1/14/2013

**Status:** 1/15/2013-From printer. May be heard in committee February 14.

**Location:** 1/14/2013-A. PRINT

**Summary:** Would state that it is the intent of the Legislature to enact subsequent legislation that would reduce the use of flame retardants in plastic foam building insulation.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**AB 194** (**Campos** D) Open meetings: protections for public criticism: penalties for violations.

**Current Text:** Introduced: 1/28/2013 [pdf.html](#)

**Introduced:** 1/28/2013

**Status:** 2/7/2013-Referred to Com. on L. GOV.

**Location:** 2/7/2013-A. L. GOV.

**Summary:** Would make it a misdemeanor for a member of a legislative body, while acting as the chairperson of a legislative body of a local agency, to prohibit public criticism protected under the Ralph M. Brown Act. This bill would authorize a district attorney or any interested person to commence an action for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of the protection for public criticism is null and void, as specified. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**AB 218** (**Dickinson** D) Employment applications: criminal history.

**Current Text:** Introduced: 2/4/2013 [pdf.html](#)

**Introduced:** 2/4/2013

**Status:** 2/5/2013-From printer. May be heard in committee March 7.

**Location:** 2/4/2013-A. PRINT

**Summary:** Would prohibit a state or local agency from asking an applicant to disclose information regarding a criminal conviction, except as specified, until after the applicant's qualifications for the position have been determined to meet the requirements for the position. This bill would include specified findings and declarations of the Legislature in support of this policy. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**AB 262** (**Waldron** R) Local government: organization.

**Current Text:** Introduced: 2/7/2013 [pdf.html](#)

**Introduced:** 2/7/2013

**Status:** 2/8/2013-From printer. May be heard in committee March 10.

**Location:** 2/7/2013-A. PRINT

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 makes certain findings and declarations relating to local government organization, including, among other things, that it is the policy of the state to encourage orderly growth and development, and recognition that the logical formation and determination of the boundaries of local agencies is an important factor in promoting orderly development, as specified. This bill would make technical, nonsubstantive changes to these provisions.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**AB 279** (**Dickinson** D) Financial affairs.

**Current Text:** Introduced: 2/11/2013 [pdf.html](#)

**Introduced:** 2/11/2013

**Status:** 2/12/2013-From printer. May be heard in committee March 14.

**Location:** 2/11/2013-A. PRINT

**Summary:** Current law prescribes the instruments in, and criteria by, which a local

agency, as defined, may invest and deposit its funds, including its surplus funds. Current law authorizes a local agency to invest in specified certificates of deposit. This bill would remove the term "certificates of deposit" and instead authorize a local agency to invest in deposits. This bill would also exclude from public funds reporting requirements a private sector entity that assists a selected depository institution of a local agency's deposits under certain conditions.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

[AB 282](#) **(Wieckowski D) Underground storage tanks: petroleum: charges.**

**Current Text:** Introduced: 2/11/2013 [pdf](#) [html](#)

**Introduced:** 2/11/2013

**Status:** 2/12/2013-From printer. May be heard in committee March 14.

**Location:** 2/11/2013-A. PRINT

**Summary:** Existing law, until January 1, 2014, provides for an increase in the fee for storage in an underground tank of \$0.006 per gallon of petroleum. This bill would require payment of the additional \$0.006 per gallon until January 1, 2016. This bill would constitute a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

[AB 312](#) **(Wieckowski D) Local government: employees: firefighters.**

**Current Text:** Introduced: 2/12/2013 [pdf](#) [html](#)

**Introduced:** 2/12/2013

**Status:** 2/13/2013-From printer. May be heard in committee March 15.

**Location:** 2/12/2013-A. PRINT

**Summary:** Current law permits a permanent career civilian federal, state, or local government firefighter to apply for placement on the list making them eligible for appointment to a local government firefighter position after he or she receives a notice of termination or a priority placement notice and requires his or her name to remain on the list for a period of 48 months. This bill would provide that a firefighter's name may remain on the list described above for 60 months. The bill would also make a conforming change.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

[AB 347](#) **(Achadjian R) Arson: registration.**

**Current Text:** Introduced: 2/13/2013 [pdf](#) [html](#)

**Introduced:** 2/13/2013

**Status:** 2/14/2013-From printer. May be heard in committee March 16.

**Location:** 2/13/2013-A. PRINT

**Summary:** Current law requires a convicted arsonist, as specified, to register with certain local officials in the area in which he or she resides, and makes it a misdemeanor to fail to register. Current law also requires the registering law enforcement agency to forward certain information about the person to the Department of Justice, including a signed statement, and the person's fingerprints and photograph. This bill would make technical, nonsubstantive changes to those provisions.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**[AB 382](#) ([Mullin](#) D) State and local government: alternative investments: public access.**

**Current Text:** Introduced: 2/14/2013 [pdf](#) [html](#)

**Introduced:** 2/14/2013

**Status:** 2/14/2013-Read first time. To print.

**Location:** 2/14/2013-A. PRINT

**Summary:** Existing law defines an alternative investment to mean an investment in a private equity fund, venture fund, hedge fund, or absolute return fund. This would further exempt from disclosure records of public investment funds regarding nonpublicly traded direct real estate investments or nonpublicly traded indirect real estate investments, as defined. The bill would make conforming changes to related provisions. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC			RHeim	

**[ACA 3](#) ([Campos](#) D) Local government financing: public safety services: voter approval.**

**Current Text:** Introduced: 1/22/2013 [pdf](#) [html](#)

**Introduced:** 1/22/2013

**Status:** 1/23/2013-Introduced measure version corrected.

**Location:** 1/23/2013-A. PRINT

**Summary:** Would create an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund certain fire, emergency response, police, or sheriff buildings or facilities, and equipment, that is approved by 55% of the voters of the city, county, or special district, as applicable. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**[ACA 8](#) ([Blumenfield](#) D) Local government financing: voter approval.**

**Current Text:** Introduced: 2/13/2013 [pdf](#) [html](#)

**Introduced:** 2/13/2013

**Status:** 2/14/2013-From printer. May be heard in committee March 16.

**Location:** 2/13/2013-A. PRINT

**Summary:** Would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**[SB 17](#) ([Gaines](#) R) State responsibility areas: fire prevention fees.**

**Current Text:** Introduced: 12/3/2012 [pdf](#) [html](#)

**Introduced:** 12/3/2012

**Status:** 1/10/2013-Referred to Com. on N.R. & W.

**Location:** 1/10/2013-S. N.R. & W.

**Summary:** Existing law requires that the fire prevention fees collected, except as provided, be deposited into the State Responsibility Area Fire Prevention Fund and be made available to the State Board of Equalization and the Department of Forestry and Fire Protection for certain specified fire prevention activities that benefit the owners of structures in state responsibility areas who are required to pay the fee. Existing law further requires the board, on and after January 1, 2013, to submit an annual written report to the Legislature on specified topics. This bill would repeal the above provisions relating to the implementation of the fire prevention fees.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**SB 24** **(Walters R) Public employees' retirement: benefit plans.**

**Current Text:** Introduced: 12/3/2012 [pdf](#) [html](#)

**Introduced:** 12/3/2012

**Status:** 1/10/2013-Referred to Com. on P.E. & R.

**Location:** 1/10/2013-S. P.E. & R.

**Summary:** Existing law regulates state and local public retirement systems and generally requires public employees who are new members, as defined, of those systems, on and after January 1, 2013, to participate in specified benefit plans. Existing law requires, in the case of these plans, if a new defined benefit formula is adopted on or after January 1, 2013, that the formula meet certain requirements and, among other things, be approved by the Legislature. This bill would eliminate the requirement that the Legislature approve the changes in the instances described above. This bill would also authorize a local agency public employer or public retirement system that offers a defined benefit pension plan to offer a benefit formula with a lower benefit factor at normal retirement age and that results in a lower normal cost than the benefit formulas that are currently required, for purposes of addressing a fiscal necessity.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**SB 125** **(Gaines R) State responsibility areas: fire prevention fees.**

**Current Text:** Introduced: 1/22/2013 [pdf](#) [html](#)

**Introduced:** 1/22/2013

**Status:** 2/7/2013-Referred to Coms. on N.R. & W. and RLS.

**Location:** 2/7/2013-S. N.R. & W.

**Summary:** Existing law requires the State Board of Forestry and Fire Protection, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure, as defined on a parcel that is within a state responsibility area, as defined, and requires that the fire prevention fee be adjusted annually using prescribed methods. This bill would exempt a property owner of a structure that is both within a state responsibility area and within the boundaries of a local fire district that provides fire protection services in the district from the payment of the above-described fire prevention fee.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**SB 147** **(Gaines R) State responsibility areas: fire prevention fees.**

**Current Text:** Introduced: 1/31/2013 [pdf](#) [html](#)

**Introduced:** 1/31/2013

**Status:** 2/14/2013-Referred to Coms. on N.R. & W. and RLS.

**Location:** 2/14/2013-S. N.R. & W.

**Summary:** Existing law requires the State Board of Forestry and Fire Protection, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each structure on a parcel that is within a state responsibility area. This bill would exempt a property owner of a structure on a parcel that is within a state responsibility area from payment of the fire prevention fee imposed pursuant to those provisions if the property owner has an income of less than 200% of the federal poverty level, as specified. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject
FDAC	Support		RHeim	

**SB 216** **(Beall D) County employees' retirement.**

**Current Text:** Introduced: 2/11/2013 [pdf](#) [html](#)

**Introduced:** 2/11/2013

**Status:** 2/12/2013-From printer. May be acted upon on or after March 14.

**Location:** 2/11/2013-S. PRINT

**Summary:** The County Employees Retirement Act of 1937 prescribes the rights, benefits, and duties of members of the retirement systems established pursuant to its provisions. This bill would make technical, nonsubstantive changes to a provision of the County Employees' Retirement law.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**SB 217** **(Beall D) Public Employees' Retirement System.**

**Current Text:** Introduced: 2/11/2013 [pdf](#) [html](#)

**Introduced:** 2/11/2013

**Status:** 2/12/2013-From printer. May be acted upon on or after March 14.

**Location:** 2/11/2013-S. PRINT

**Summary:** Current law, the Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS) for the purpose of providing pension benefits to specified public employees. Current law defines "contracting agency" for purposes of the PERL. This bill would make nonsubstantive changes to these provisions.

Organization	Position	Priority	Assigned	Subject
FDAC	Watch		RHeim	

**SB 277** **(Beall D) State Peace Officers' and Firefighters' Defined Contribution Plan.**

**Current Text:** Introduced: 2/14/2013 [pdf](#) [html](#)

**Introduced:** 2/14/2013

**Status:** 2/14/2013-Introduced. Read first time. To Com. on RLS. for assignment. To print.

**Location:** 2/14/2013-S. PRINT

**Summary:** The bill would require all moneys in the State Peace Officers' and Firefighters' Defined Contribution Plan Fund to be distributed, as specified, including requiring that, if not elected otherwise, amounts that become payable from the fund be rolled over under existing federal law to the Supplemental Contributions Program. By changing the circumstances under which moneys in the State Peace Officers' and Firefighters' Defined Contribution Fund would be distributed, and by providing for an increase in contributions to the Supplemental Contributions Program, this bill would make an appropriation. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject
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FDAC

RHeim

**SCA 9**

**(Corbett D) Local government: economic development: special taxes: voter approval.**

**Current Text:** Introduced: 12/18/2012 [pdf](#) [html](#)

**Introduced:** 12/18/2012

**Status:** 2/7/2013-Referred to Coms. on GOV. & F. and E. & C.A.

**Location:** 2/7/2013-S. G. & F.

**Summary:** Would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects, as specified, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

<b>Organization</b>	<b>Position</b>	<b>Priority</b>	<b>Assigned</b>	<b>Subject</b>
FDAC	Support		RHeim	

**SCA 11**

**(Hancock D) Local government: special taxes: voter approval.**

**Current Text:** Introduced: 1/25/2013 [pdf](#) [html](#)

**Introduced:** 1/25/2013

**Status:** 2/7/2013-Referred to Coms. on GOV. & F. and E. & C.A.

**Location:** 2/7/2013-S. G. & F.

**Summary:** The California Constitution conditions the imposition of a special tax by a local government upon the approval of 2/3 of the voters of the local government voting on that tax, and prohibits a local government from imposing an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property. This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes.

<b>Organization</b>	<b>Position</b>	<b>Priority</b>	<b>Assigned</b>	<b>Subject</b>
FDAC	Support		RHeim	