

To: East Contra Costa Fire Protection District
From: Townsend Public Affairs, Inc.
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Subject: Legislative Report for ECCFPD – January 2022

STATE LEGISLATIVE UPDATE AND OUTLOOK

The Legislature reconvened on January 3rd, which began the second year of the state’s two-year session. Because it is the second year of session, the month of January featured a number of statutory deadlines for 2-year bills to continue through the legislative process. On Monday, January 31, bills introduced in the first year of session had to be passed out of their house of origin and move on to the second house. Those bills which failed to adhere to this deadline were marked dead on February 1st.

The two-year bill deadline does not generate the level of activity that surrounds other legislative deadlines, such as the policy or fiscal committee deadlines; however, there were a handful of high priority bills that legislators attempted to advance in January. The most high profile measure, AB 1400 (Kalra), which would have created a state-funded single-payer health care system, failed to advance out of its House of Origin. The author of AB 1400 was unable to secure the 41 votes that were needed to advance out of the Assembly and ultimately choose not to take up his bill, instead of forcing a vote without the needed support.

In January, the Legislature introduced a total of new 230 bills for consideration in 2022. Notable bill topics ranged from public safety reform with an emphasis on organized retail crimes, to vaccination mandates, and various measures refining legislation enacted in response to the pandemic, such as off-sale alcoholic beverage licenses. Priority bills addressing policy issues like housing and land use and transportation have yet to materialize. However, the volume of bills introduced each week is expected to significantly ramp up in order to meet the February 18th bill introduction deadline.

STATE BUDGET

On January 10th, Governor Newsom released his budget proposal for the 2022-2023 fiscal year, called the [California Blueprint](#). Overall spending trends in the proposed budget reflect a more “down to earth” budget framework compared to the 2021-22 FY budget, which included a larger surplus with federal COVID relief funds. Additionally, most all of the proposed expenditures – 86% in total – will be made available via one-time spending formulas.

The Framework includes \$286 billion in total spending, reflecting a 9.1% increase, and \$213.1 billion in General Fund spending, which represents a 1.5% increase, from last year’s final budget.



The budget framework also proposes to include \$34.6 billion in the state's reserves accounts, which includes approximately \$20 billion into the rainy-day fund and \$9.7 billion in the school stabilization reserve.

The Governor also announced that the January Budget proposal assumes a \$45.7 billion operating surplus, of which \$20.6 billion will be available for discretionary use. Governor Newsom iterated that these numbers are likely to change over the next few months, pending revenue information that will materialize during tax return season before the June 15th budget deadline.

The breakdown of the surplus funds and earmarked expenditures are as follows:

- Total surplus: \$45.7 billion
 - \$16.1 billion in Proposition 98 obligations
 - \$3.9 billion to pay down unfunded retirement liabilities
 - \$5.1 billion for reserves
- Remaining discretionary total: \$20.6 billion

The proposed budget is largely focused on addressing what Governor Newsom referred to as “California’s five existential threats” which include addressing the COVID-19 crisis and investments in climate resiliency, the rising cost of living, homelessness, and public safety. Several of the Governor’s specific proposals are targeted for “early action,” which mean the Governor’s goal is to get certain portions of funding out in the coming weeks, well before the final budget is adopted. The early action portions of the budget include \$1.4 billion in emergency appropriations to address the ongoing COVID-19 crisis through bolstering testing access, vaccine distribution, and supporting frontline healthcare workers.

Below is a high-level overview of proposed expenditures, organized by issue area:

- **Combatting the Climate Crisis**
 - Wildfire and Forest Resiliency: \$1.2 billion (over two years)
 - \$482 million: Enhanced wildfire resiliency by thinning forests, replanting trees, expanding grazing, and utilizing prescribed fires.
 - \$382 million: Wildfire fuel breaks for CalFire and California Conservation Corps, including Fire Prevention Grants
 - \$110 million: Targeted regional investments, including the development of cross-regional plans, identification of projects, and support for project implementation
 - \$100 million: Recovery of critical watersheds burned in previous fires.
 - \$44 million: Home hardening efforts, including educational programs that will help homeowners make improvements to their homes and properties, expanding defensible space inspectors, and direct support for homes of low-income Californians
 - Wildfires: \$648 million
 - \$400 million: CAL FIRE firefighter support
 - \$248 million: new firefighter equipment
 - Drought: \$750 million
 - \$500 million: immediate drought support
 - \$250 million: drought contingency support



- Nature Based solutions: \$2.1 billion
 - \$400 million: Coastal and ocean protection
 - \$325 million: community resiliency (catalytic projects, regional collaboration)
 - \$175 million: extreme heat (urban greening)
- **COVID-19 Relief** (\$2.7 billion total, appropriated over 2 years)
 - \$1.2 billion: bolster testing
 - \$583 million: expand vaccine distribution
 - \$614 million: support frontline healthcare workers
 - \$200 million support state response operations
 - \$110 million: support vulnerable populations and expand contact tracing
- **Homelessness** (\$2 billion total)
 - \$1.5 billion: solutions to get people off the streets and into shelters/treatment
 - \$500 million: encampments
 - \$10 million: Returning Home Well
- **Housing** (\$2 billion total)

Last year's housing budget and legislative priorities were focused on housing accountability and reform efforts. This year, the Administration and Legislature will focus on relationship between climate action and housing policy, meaning housing production and density that is both sustainable and reduces sprawl that could overlap with areas of the state susceptible to natural disaster.

 - Sustainable Housing Developments
 - \$500 million: Infill Infrastructure Grant Program (\$225 million in 2022-23, and \$275 million in 2023-24)
 - \$300 million: Affordable Housing and Sustainable Communities (\$75 million in 2022-23, and \$225 million in 2023-24)
 - \$100 million: State excess sites development
 - \$100 million: adaptive reuse incentive grants
 - Affordable housing
 - \$200 million (\$50 million in 2022-23, and \$150 million in 2023-24): Mixed-income housing development loans
 - \$200 million: portfolio reinvestment program
 - \$100 million : mobile home park rehabilitation
- **Public Safety**
 - Crime prevention
 - \$255 million: competitive grants for local law enforcement agencies over the next three years to help advance the prosecution of retail crime rings.
 - \$30 million: grants to District Attorney offices to fight theft crimes
 - \$25 million: statewide gun-buyback program
 - Emergency response
 - \$17 million: early earthquake warning system
 - \$12 million: new Southern California Emergency response center



- **Transportation**

- Zero Emissions Vehicles: \$6.1 billion (appropriated over 5 years)
- Transportation projects: \$9.1 billion (\$4.9 billion General Fund and \$4.2 billion Proposition 1A bond funds)
 - \$4.9 billion:
 - \$2 billion: transit and rail projects
 - \$1.25 billion: local projects
 - \$750 million: Bicycle/pedestrian safety/connecting communities projects
 - \$500 million: grade crossings
 - \$400 million: climate adaptation
 - \$4.2 billion: High Speed Rail

- **Small Business Investments**

- \$3 billion: Paying down UI debt
- \$1 billion: Loan guarantees
- \$500 million: Small business tax relief: venues and restaurants
- \$150 million: Small business COVID-19 grant program

Following the release of the budget framework proposal, the Legislature is holding budget informational hearings within each house's standing budget committees and sub-committees with the plan to be done with hearings by the end of February/early March. As of the end of January, the Department of Finance has only released a portion of the trailer bill language detailing implementation and funding formula specifics necessary for enacting the Governor's budget framework.

COVID SUPPLEMENTAL LEAVE EXTENSION

On January 25th, the Governor and Legislative leadership announced they reached an agreement to extended COVID-19 supplemental paid sick leave through September 30, 2022. The last COVID-19 paid sick leave legislation, SB 95 (Skinner, Statutes of 2021) was enacted in March 2021 and expired September 30, 2021.

The new proposal will be incorporated within the larger early action budget framework addressing the COVID crisis (now increased by \$400 million to \$1.8 billion). The proposal requires employers to provide up to 40 hours of flexible paid leave to full-time workers who are sick or caring for an ill loved one and require proof of a positive test to qualify for an additional 40 hours of paid time off. It applies to businesses with 26 or more employees and would be retroactive to cover COVID-related absences from January 1st through September 30th. Additionally, the paid leave allows parents to stay home with sick children or ones with known exposure.

The agreement does not include direct funding to employers to offset sick leave costs or costs for testing. Instead, the proposal provides tax breaks to businesses. Corporate and individual taxpayers with at least \$1 million in business income will again be allowed to deduct operating losses.



COVID-19 UPDATES

The surge of Omicron cases in California sparked several developments at the State level in January to curb transmission rates. New developments included:

- *Masking mandate extended through February 15:* On January 5th, California Health and Human Services Agency Secretary Mark Ghaly announced that the state will extend its statewide indoor masking update another month through February 15, 2022. The first reinstatement of the masking mandate was made on December 15, 2021, and was set to be reevaluated on January 15, 2022. During the press conference, Secretary Ghaly stated that the Administration and Health officials had no plans to impose capacity limits or suspend business activities.
- *Governor extends remote meeting flexibility provisions for state bodies:* In response to the increase in COVID cases, the Governor signed an executive order in early January to extend the flexibilities provided in a prior executive order that enabled public agencies to meet remotely during the COVID-19 emergency. AB 361 (R. Rivas, Statutes of 2021), which suspended certain Brown Act requirements to allow state and local bodies to meet remotely under emergency conditions, provided state bodies a January 31, 2022 sunset date to continue to use teleconferencing for public meetings. The executive order extends this capability until March 31, 2022. This means that legislative committee bill hearings will continue to feature a call-in testimony option through the month of March. The order does not impact local governments, who are permitted to use AB 361's modified Brown Act standards until 2024.
- *Legislature and staff hit with surge of COVID cases:* The beginning of the month featured a hybrid work style environment in the new Legislative Swing Space as Legislators and their staff prepared for the start of session. The Assembly reinstated its temporary work from home flexibility and the Senate required employees to stagger their workdays in order to limit the number of staff in offices. However, during the first week of session, dozens of Legislators and their staff tested positive for COVID-19. In response to the outbreak, Senate Pro Tem Toni Atkins issued a mandatory "one person per legislative office" staffing rule to restrict the number of staff members within the Swing Space offices. Most legislative offices continue to express their preferences to host meetings with stakeholders and constituents virtually.

CHANGES TO LEGISLATIVE MAKE-UP

January featured more legislators announcing that they would not be running for re-election so that they can focus on other opportunities outside of the Legislature. These announcements included the resignation of two Assembly Members:

- Former Assembly Member Lorena Gonzalez, the Chair of the Assembly Appropriations Committee, departed the Legislature on January 5th to join the California Labor Federation. She will take over as the Executive-Secretary Treasurer after its longtime incumbent, Art Pulaski, steps down this summer.



- Former Assembly Member Autumn Burke departed the Legislature on February 1st. She served as chair of the Assembly Committee on Revenue and Taxation. Assembly Speaker Rendon has not yet announced a new committee chair.

The Assembly now has five vacancies that need to be filled via special elections. The seats slated for special election include:

- Assembly District 17 (formerly held by David Chiu) – February 15, 2022
- Assembly District 49 (formerly held by Ed Chau) – February 15, 2022
- Assembly District 11 (formerly held by Jim Frazier) – April 5, 2022
- Assembly District 80 (formerly held by Lorena Gonzalez) – April 5, 2022
- Assembly District 62 (formerly held by Autumn Burke) – April 5, 2022

In addition to the departure of an additional two Assembly Members in the month of January, there were a number of notable leadership changes within the Legislature. These include:

- Assembly Member Chris Holden was appointed as Chair to the powerful Assembly Appropriations Committee. The position was previously held by former Assembly Member Lorena Gonzalez.
- Senator Mike McGuire was appointed as Senate Majority Leader. The position was previously held by Senator Bob Hertzberg, who is currently running for a Los Angeles County Supervisor seat.
- Senator Bob Hertzberg was appointed as Majority Leader Emeritus. As Majority Leader Emeritus, Senator Hertzberg will lead Senate negotiations on pending ballot measures, working with the respective policy chairs.

In total, five legislators have left mid-term, six will be termed out of office in 2022, and fifteen have announced their intention not to seek re-election. These numbers exclude the handful of races where the newly drawn districts will pit incumbents against one another, leading to more incumbents out of the Capitol next year. When all of these factors are taken together, the Legislature is poised to have its largest single year turnover since the current term limits became effective in 2012.

PRIORITY LEGISLATION

The legislative deadlines to introduce legislation in the new session is February 18th. It is anticipated that the Assembly and Senate will combine to introduce over two thousand bills for consideration in 2022.

Below are the upcoming relevant dates for the Legislature:

February 18th – Last day to introduce new bills

April 29th – Last day for policy committees to consider house of origin bills with a fiscal impact

May 6th – Last day for policy committees to consider house of origin non-fiscal bills



Below are bills that have been introduced that may be of interest to the District:

AB 1770 (Rodriguez) Ambulance patient offload time.

Current law requires the Emergency Medical Services Authority to report twice per year to the commission the APOT by local EMS agency jurisdiction and by each facility in that jurisdiction. This bill instead requires the authority to report the APOT data to the commission every 6 months. ***This bill was introduced on February 2nd and is currently pending referral to committee.***

AB 1717 (Aguar-Curry) Public works: definition.

This bill expands the definition of “public works” by which agencies are required to pay employees prevailing wages to include fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project. ***This bill was introduced January 27th and is currently pending referral to committee.***

SB 896 (Dodd) Wildfires: defensible space: grant programs: local governments.

This bill requires the Department of Forestry and Fire Protection when reviewing applications for the local assistance grant program, to award a 5 percent scoring bonus to any local government entity qualified to perform defensible space assessments in very high and high fire severity zones for using the common platform to report that information. ***This bill was introduced February 2nd and is currently pending referral to committee.***

FEDERAL LEGISLATIVE UPDATE AND OUTLOOK

CONGRESSIONAL COMMUNITY PROJECT FUNDING

TPA continues to work closely with ECCFPD to secure funding for the Fire Station project through the Congressional Community Project Funding, or earmark, process. TPA worked with ECCFPD to submit a request for \$3 million in funding for a new fire station. Congressman McNerney selected the Fire Station project as one of his top projects to be submitted to the House Appropriations Committee for consideration. The Fire Station project was included in the Six-Bill Appropriations Minibus that passed the House on July 31st, to be funded for \$1,500,000.

Congress is currently operating under a Continuing Resolution agreement to fund the federal government until February 18, 2022. This temporary extension extends current funding levels from the previous fiscal year (FY21) until February 18th. The District’s \$1.5 million in funding is dependent on an overall agreement being reached by the House and the Senate and an FY22 spending bill being approved. TPA continues to advocate on behalf of ECCFPD and will continue to advocate to secure this funding in the final budget agreement.

UPDATE ON FY22 APPROPRIATIONS

The Fiscal Year 2022 federal appropriations process took a big step forward on January 13th as the Chairs and Ranking Members of the House and Senate Appropriations Committees met to discuss the path forward. The appropriations process has been stalled since the fall when Congress passed a series of stopgap funding measures to keep the government open at FY21



funding levels. Disagreements still persist over policy riders and topline funding amounts. The current appropriations stopgap expires on February 18th.

There is genuine bipartisan interest in reaching a funding deal by the February 18 deadline, a departure from just a month ago when there was talk among Republican lawmakers that they could perhaps settle for a year-long continuing resolution, maintaining current funding levels from FY21 and not enacting any new policies or funding levels. The top Republican on the Senate Appropriations Committee said in early January that members in both parties are interested in a bipartisan omnibus, or multiple “minibus” pairings of bills. This sentiment reflects an understanding that if they wait much longer than the February 18th deadline to fund the government, a spending deal won’t do much good.

House and Senate Appropriators are making some progress toward an omnibus spending deal to cover the remainder of the fiscal year through September 30th. As negotiators enter February, they have yet to strike a deal on topline funding levels; however, there is optimism this agreement could take shape in the early weeks of February, giving Congress a chance to finish the bill by the February 18th funding deadline. Additionally, the House is not scheduled to be in session during the week of the deadline, which is likely to change depending on the Senate’s timetable for action.

Once Congress dispenses with FY22 appropriations, they are expected to immediately begin the FY23 appropriations process.

SUPREME COURT UPDATE

On January 27th, President Biden formally announced the retirement of Justice Stephen Breyer, putting all eyes on the President in this key nomination. The Supreme Court will remain with a solid conservative majority even with President Biden’s expected Democrat Nominee. President Biden honored his promise to commit to nominating the first Black woman to the supreme court, which could energize a key constituency before November’s midterms. Biden also announced he expects to choose a nominee before the end of February.

Democrats will try to move fast to fill the seat as it presents a political opportunity for the party as they have yet to enact Biden’s economic agenda and broad voting rights legislation. Once a nominee is selected by the President the nomination process will consume a significant amount of the Senate’s attention. This has the potential to impact the legislative agenda and continued negotiations on other priorities.

NATIONAL ROADWAY SAFETY STRATEGY

On January 27th, the Department of Transportation Secretary Pete Buttigieg announced the federal government’s new National Roadway Safety Strategy (NRSS). This strategy provides steps the department will take to address the issue of rising roadway fatalities and prevent these avoidable deaths and serious injuries.

The Bipartisan Infrastructure Law provides an opportunity for the department to work with State, Local, and Tribal partners to put increase transportation funding to incorporate increased safety into every federally-funding road project through \$14 billion in new funding for road safety. More



specifically, this law provides \$6 billion for the Safe Streets and Roads for All Program, \$4 billion in additional funding for the Highway Safety Improvement Program (HSIP) and an additional \$4 billion for improved crash data and vehicle, behavior and truck safety program.

COVID RAPID TEST DISTRIBUTION

The Biden Administration announced on January 14th it will double its supply of at-home rapid COVID tests, to a total of one billion, and will make those tests available online for every American household. A half-billion tests were made available for order on January 19th to be mailed directly to American households. The initial program will allow four free tests to be requested per residential address. Americans are able to order their tests online at [COVIDTests.gov](https://www.covidtests.gov), and tests will typically ship within 7-12 days of ordering. The Administration will also launch a call line to help those unable to access the website to place orders, and will work with national and local community-based organizations to support the nation's hardest-hit and highest-risk communities in requesting tests. The Administration also announced that starting January 15th, private health insurance companies will be required to cover at-home COVID-19 tests for free.

SUPREME COURT BLOCKS BIDEN ADMINISTRATION'S VACCINE POLICY

On January 13th, the U.S. Supreme Court blocked the Occupational Safety and Health Administration's (OSHA) emergency temporary standard (ETS) on vaccine mandates on a 6-3 vote. The rule would have required workers at businesses with 100 or more employees to get vaccinated or undergo weekly testing. The ETS would have required employers to mandate mask-wearing for unvaccinated employees, keep records of employee vaccination status, and provide limited paid time off for vacation.

Ultimately, the Court ruled that the Biden Administration does not have the authority to impose vaccine-or-testing requirements on employers that would have covered tens of millions of Americans. This decision marks the second time the nation's highest court unwound a pandemic policy of the Biden administration, again concluding that federal officials exceeded the power given to them by Congress. The first instance occurred when the Court blocked President Biden's eviction moratorium in August, ruling that it also was an overreach.

This ruling means that the California Division of Occupational Safety and Health will not be required to institute a new ETS, which, by California law, must be at least as effective as OSHA's. Following the ruling, Cal/OSHA has not made any indication that they would push forward a revised ETS, following the implementation of their current one.

DISTRICT LEGISLATIVE PRIORITIES

TPA works to further the mission of the East Contra Costa Fire Protection District in Sacramento and Washington DC. In addition to providing feedback on the priorities of the State and Federal government, the District has its own priorities that we continue to advance.



Legislative Priority 1 – Chapter 13 EMS System Modifications

California operates on a two-tiered emergency medical services (EMS) system. EMSA is the lead agency and centralized resource to oversee emergency and disaster medical services. The California Emergency Medical Services Authority (EMSA) is charged with providing leadership in developing and implementing local EMS systems throughout California, and in setting standards for the training and scope of practice of various levels of EMS personnel. California has 33 local EMS systems that provide EMS for California's 58 counties.

Local EMS agencies are responsible for planning, implementing, and managing local trauma care systems, including assessing needs, developing the system design, designating trauma care centers, collecting trauma care data, and providing quality assurance.

In late 2019, EMSA issued proposed Chapter 13 regulations that would have aimed to define the standards, policies, and procedures for all local EMS systems. Additionally, the proposed regulations would have clarified and made specific criteria for determining whether a city or fire district that has contracted for, or provided prehospital EMS as of June 1, 1980, has consistently provided that service without any reduction in the level of service since that time. The regulations would have also made specific criteria for the determining when an exclusive operating area may be created without a competitive process and the process to be used when awarding an exclusive operating area via a competitive process.

The EMSA proposed regulations garnered opposition from numerous entities. Additionally, CFCA's legal counsel requested that EMSA withdraw the proposed Chapter 13 regulations for failure to comply with certain substantive and procedural requirements for rulemaking under the Administrative Procedures Act. Ultimately, in August 2020, EMSA gave notice that it decided not to proceed with the rule making action related to Chapter 13.

On January 19th, the Assembly Committee on Emergency Management held an informational hearing to discuss the impact of ambulance patient offload delays on the emergency response system. The hearing consisted of two panels of state and local fire and emergency response professionals. There were several themes repeated throughout the hearing including that response and wall times are currently unacceptable, that these issues predate the stresses placed on the system by the pandemic, triage care and the expansion of telehealth should be explored as options to minimum emergency room and ambulance use saturation, and that a system of penalties/incentives should be considered to help reduce wall times.

While the hearing was informational, and no specific action was taken, the issue is on the Legislature's radar and future legislation may be forthcoming. On February 2nd, Assembly Member Rodriguez, the Chair of the Emergency Management Committee, introduced AB 1770 which would increase the reporting frequency of APOT data to the state.

Legislative Priority 2 – Mitigation Fee Act

Under existing law, the Mitigation Fee Act authorizes local agencies to impose fees to offset the impacts of new development in the form of new services and/or facilities required. The Mitigation Fee Act also imposes a variety of administrative requirements on the fees collected. No voter



approval is required to impose impact fees. The same does not apply to a District board, who is prohibited from charging a fee on new construction or development.

In 2020, numerous bills were introduced that attempted to modify the Act in ways that would have resulted in a decreased ability for public agencies to collect impact fees. The aim of these legislative efforts has been to reduce the overall cost of housing in California and provide more opportunities for home ownership or for people to be able to afford to rent housing near employment centers. However, once the coronavirus pandemic hit, and there was concern about declining revenues for local governments, the Legislature did not consider many significant bills in 2021 related to the Mitigation Fee Act.

Moving forward, Assembly Member Grayson continues to be interested in revisiting the Mitigation Fee Act, as there is a concern that the provisions of the Act are leading to increased home prices and may be contributing to the lack of affordable housing in California. As the Legislature approaches the bill introduction deadline on February 18th, we will closely monitor all bill introductions for measures that would impact the Mitigation Fee Act and the District's ability to assess fees for service.

Legislative Priority 3 – Professional Services

Under existing law, the Public Contract Code provides that contracts over \$25,000 must be awarded to the lowest bidder. In addition to be a low threshold, Section 20812 is inconsistent with the requirements for many public agencies, and inconsistent with other laws pertaining to Professional and Special Services.

This session legislation was introduced last year by Assembly Member Gallagher, AB 577, which would establish a \$50,000 threshold amount for county drainage districts, levee districts, and reclamation districts for the requirement to award to the lowest bidder. AB 577 was referred to the Assembly Local Government Committee for consideration, but was not set for hearing by the committee, and as such, the measure is now a two-year bill. It is possible that additional legislation will be introduced in 2022, but it is unclear if there will be any appetite within the Legislature to advance this type of legislation this year.

Legislative Priority 4 – Parcel Tax

Currently, a parcel tax requires a two-thirds vote to pass and must be applied to all parcels equally. This means that a residential property, a commercial property, and an undeveloped property would have to be assessed the same amount for fire service even though they place different levels of demand for service on the Fire District.

On December 7th, Assembly Member Aguiar-Curry reintroduced ACA 1 which would create an exception to the 1% limit that would authorize a city, county, or special district to levy an ad valorem tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposed tax measure is approved by 55% of voters. For purposes of the bill, "public infrastructure" includes public safety buildings or facilities, equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.



Last year, ACA 1 was supported by a coalition of individual public agencies and associations, including: California Special Districts Association, League of California Cities, California State Association of Counties, East Bay MUD, and East Bay Parks. The measure also received significant support from labor, including from California Professional Firefighters.

ACA 1 has been referred to the Assembly Local Government Committee, which is chaired by the bill's author, Assembly Member Aguiar-Curry. Since constitutional amendments are not subject to the same legislative timelines as regular bills, so the measure may still be considered by the Assembly Local Government Committee despite being past the deadline for policy committees to consider bills in their House of Origin. Last session, ACA 1 was approved by the committee on a 5-2 vote.

Legislative Priority 5 – Proposition 218

Proposition 218 restrict local governments' ability to impose assessments and property-related fees, as well as requires elections to approve many local government revenue raising methods. Over time, the responsibilities expected of local fire districts have grown, however, their share of local tax revenue has not grown to meet the increased demand.

Every few years, efforts have failed to modify the State Constitution to reduce the vote threshold for parcel tax measures to 55%. That included an effort earlier in the 2019-20 legislative session, ACA 1 (Aguiar-Curry). While that measure was unsuccessful, the Legislature was able to approve a measure, ACA 11 (Mullin), for the November ballot, which appear on the ballot as Proposition 19. Proposition 19 was approved at the November 2020 General Election and allows homeowners who are over 55, disabled, or victims of wildfire or natural disaster to transfer their primary residence's property tax base value to a replacement residence of any value, anywhere in the state. An individual could use these rules up to three times in their lifetime. The measure would also limit the ability of new homeowners who inherit properties to keep their parents' or grandparents' low property tax payments. The measure would allocate most resulting state revenue to fire protection services and reimbursement to local governments for taxation-related changes.

In addition to any efforts to legislatively modify the Prop 218 voter thresholds, there is also a counter initiative effort underway that would impact the ability for local governments to raise revenue for government services. The proposed initiative, the Taxpayer Protection and Government Accountability Act, would limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges. The proposed initiative contains numerous provisions which aim to make it more difficult to implement fees and taxes, as well as reverse recent court determinations that voter-initiated revenue measures do not require a two-thirds supermajority for passage. The proposed initiative would also state that fees shall not exceed the actual cost of providing the product or service for which it is charged, and it must be reasonable for the taxpayer. In addition, the measure would increase the vote threshold for a local board to place a tax proposal on a ballot, from a majority to a two-thirds vote of the board, and also increases the vote threshold for voters to pass a local special tax from a simple majority to a two-thirds vote.



The measure is officially being opposed by a number of statewide associations, including the California Special District's Association, the League of California Cities, the California Professional Firefighters, the California Alliance for Jobs, and SEIU California.

Once the proposed initiative receives title and summary from the Attorney General's Office, the proponents will have six months to collect and submit nearly one million valid signatures to qualify for the ballot. In order to be considered on the November 2022 General Election ballot, sufficient signatures must be submitted, and verified, before June 30th.

Legislative Priority 6 – Building a Coalition

TPA continues to work with the California Special Districts Association in efforts to further strengthen the relationship between CSDA and the District, as well as to ensure alignment on issues of importance to fire districts. TPA has worked with CSDA and the District to advocate for the District to be represented on the CSDA Legislative Committee. In December, CSDA staff notified the District that Chief Helmick has been selected to serve on the Legislative Committee for the upcoming year. The CSDA Legislative Committee began meeting in January 2022 to consider legislative and policy items that may potentially impact CSDA and its members. The committee will meet on a near monthly basis for the remainder of the legislative session.

