



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

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Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Michael P. Callagy, County Executive
Connie Juarez-Diroll, Chief Legislative Officer
Subject: State and Federal Legislative Update #2

RECOMMENDATION:

Accept this informational report on the 2024 State and Federal Legislative sessions.

BACKGROUND:

On February 5, 2024, Senator Mike McGuire, representing the north coast region of the state, was sworn in as the Senate President pro-Tempore. As a part of the transition, the new pro-Tem also announced committee memberships for 2024, including the appointment of Senator Scott Wiener (D-San Francisco) as chair of the budget committee.

Additionally, February 17, 2024, was the deadline for members to introduce new legislation. While many bills include substantive language providing policy proposal details, a large number are "spot bills" or placeholders, including small, unimpactful changes or language that speaks to the intent of the legislation without making any specific changes to state law. Introducing "spot bills" gives bill authors more time to work on bill details and amend them before or during policy committee hearings, as committees cannot vote on legislation for at least 30 days after a bill's introduction. Policy committees will convene until April 26, 2024, the deadline for a bill's referral to fiscal committees.

On January 31, 2024, the House passed a \$78 billion bipartisan tax package that would temporarily expand the child tax credit and restore several business tax benefits.

DISCUSSION:

The following notable bills have been introduced as of February 13, 2024:

Behavioral Health

- **SB 1017 (Eggman-D)** would require state agencies to collect and display bed availability in

mental health and substance use disorder treatment facilities licensed by the state.

- **AB 2154 (Berman-D)** would require involuntary detention facilities to provide a copy of the California Department of Health Care Service's patients' rights handbook to family members of detained individuals.

Controlled Substances

- **AB 1859 (Alanis-R)** would require county coroners to test bodily fluids of deceased individuals for the presence of xylazine if the coroner reasonably suspects the individual's cause of death was due to an accidental or intentional overdose or if the person was administered an overdose intervention drug and report positive tests to the state's public health department.
- **AB 1976 (Haney-D)** would require the California Department of Industrial Relations to revise regulations on first aid materials to require workplace first aid kits to include nasal spray naloxone hydrochloride.

Elections

- **AB 2249 (Pellerin-D)** would make several changes to record retention requirements for vote records and identification information.

Foster Youth

- **AB 2137 (Quirk-Silva-D)** would authorize foster youth services coordinating programs to provide tutoring, mentoring, and counseling to foster youths.
- **AB 2237 (Aguiar-Curry-D)** would require counties to assume financial responsibility for timely access to specialty mental health services for youths who are transferred between counties.

Health

- **AB 2250 (Weber-D)** would require health care service plans that provide primary care services to include screenings for social determinants of health.
- **AB 2089 (Holden-D)** would require local governments to include the additional collection categories and tabulations for specified Black or African American groups when collecting demographic data as to the ancestry or ethnic origin of residents.
- **AB 2200 (Kalra-D)** would establish the California Guaranteed Health Care for All Act to provide comprehensive universal single-payer health care coverage and health care cost control systems.

Homelessness

- **AB 2007 (Boerner-D)** would establish the Unicorn Homes Transitional Housing for Homeless LGBTQ+ Youth program with the California Department of Housing and Community Development.

Housing

- **AB 1820 (Schiavo-D)** would require local governments to respond to a request for preliminary fees and exaction estimates related to a proposed housing development.

- **AB 2240 (Arambula-D)** would allow for farm laborers to occupy housing units year-round.

Human Services

- **AB 1808 (Nguyen-D)** would extend the eligibility window under CalWORKs programs to 24 months.
- **AB 2241 (Alvarez-D)** would require county agencies to meet specified software security requirements and information verification systems as specified by 2026.

Public Safety

- **AB 2108 (Ramos-D)** would require probation officers and social workers to notify specified persons, including local law enforcement, of information that a child receiving child welfare services is absent from foster care within 24 hours.
- **AB 1810 (Bryan-D)** would require individuals confined to local detention facilities to have ready access to menstrual products without having to request them.
- **AB 2042 (Jackson-D)** would require the Commission on Peace Officer Standards and Training to develop standards and training guidelines for the use of canines by law enforcement and require local law enforcement agencies to adopt policies that would comply with those standards.
- **SB 1019 (Blakespear-D)** would require local law enforcement agencies to maintain and publish written policies regarding the destruction of firearms.

Public Records

- **SB 908 (Cortese-D)** would prohibit local elected officials, appointed individuals, and public employees from creating or sending public records using a nonofficial electronic messaging system unless a copy is sent to the official system.
- **AB 1785 (Pacheco-D)** would allow local agencies to prevent the disclosure of assessor parcel numbers of any elected or appointed officials under the California Public Records Act.
- **AB 2153 (Lowenthal-D)** would require public agencies to notify any employee whose personal identity would be disclosed with any request for public records.
- **SB 1034 (Seyarto-R)** would allow local agencies to extend response times to public records requests during proclaimed states of emergency that have affected the agency's ability to respond due to decreased staffing or closure of facilities.

Public Works & Infrastructure

- **AB 1957 (Wilson-D)** would indefinitely extend the best-value construction contracting pilot program.
- **SB 925 (Wiener-D)** would authorize the Metropolitan Transportation Commission to propose a revenue measure before voters in the Bay Area to fund the operation, expansion, and transformation of the region's public transportation system.
- **SB 926 (Wahab-D)** would require the California State Transportation Agency to develop a plan to consolidate all transit agencies within the Metropolitan Transportation Commission's

jurisdiction.

Members of the San Mateo County delegation have introduced the following notable bills:

- **AB 1814 (Ting-D)** would prohibit law enforcement agencies from using real-time facial recognition technology as the basis for probable cause in an arrest, search, or warrant.
- **AB 2176 (Berman-D)** would require county probation departments to establish clear and convincing evidence before a juvenile detainee is temporarily denied access to standard education opportunities.
- **AB 1827 (Papan-D)** would establish a methodology for establishing costs associated with higher water usage and demand by water service providers.
- **AB 2037 (Papan-D)** would authorize county sealers to test and certify the accuracy of electric vehicle chargers and authorize sealers to close inaccurate chargers.
- **SB 951 (Wiener-D)** would exclude urbanized San Francisco from the Coastal Zone and establishes specific circumstances under which the California Coastal Commission can review appeals of proposed housing developments within the Coastal Zone.

The attached 2024 Legislative Activity Report, developed by the Intergovernmental and Public Affairs Unit (IGPA), lists all of the bills tracked this session. The IGPA unit is continuing to review bills introduced between the writing of this report and the February 16 bill introduction deadline. Future legislative updates will provide your Board with updates on additional measures of note and action taken by the County.

Federal Update

On January 31, 2024, the House overwhelmingly approved a tax package (H.R. 7024) that would expand the Child Tax Credit (CTC) in exchange for a handful of business tax benefits. The bipartisan tax package resulted from several months of negotiations between House Ways and Means Committee Chair Jason Smith (R-MO) and Senate Finance Committee Chair Ron Wyden (D-OR). The measure would increase the refundable portion of the child tax credit and direct the Treasury Department to redetermine a taxpayer's child tax credit for early filers based on changes made by the measure. It also includes bipartisan priorities to reduce double taxation of US-Taiwanese businesses and extend the boosted low-income housing and disaster relief tax credit. The deal would also end claims for the pandemic-era employee retention tax credit after January 31 and apply penalties for violating due diligence requirements and aiding in understatement of tax liability.

The measure also includes other provisions of interest to state and local governments:

- Restores the 12.5% increase to the 9% low-income housing tax credit ceiling on annual state allocations for calendar years 2023 through 2025. State and local agencies could carry over the increased allocations for 2023 for this year's affordable housing projects.
- Makes it easier for bond-financed affordable housing projects to receive a 4% low-income housing tax credit separate from the amounts allocated by a state.
- Extends special rules for deducting certain disaster-related personal casualty losses.
- Any amount received by an individual for expenses, damages, or losses related to a qualified wildlife disaster would be excluded from gross income for tax reporting purposes. The

exclusion would apply to compensation received from 2020 through 2025 for any federally declared forest or range fire disaster after December 31, 2014. It would not apply to losses already covered by insurance.

Unfortunately, at the time of this report, the sweeping tax bill was stuck in the Senate and unlikely to get a vote for several weeks. Despite broad bipartisan support, Democratic and Republican senators are blaming each other-and ongoing debates over the national security supplemental funding package-for the tax bill's lack of momentum. It has been reported that Chair Wyden wants the bill to be considered before March 8.

EQUITY IMPACT:

The County's 2024 Legislative program supports policies that further or enhance equity goals in addressing the needs of underserved, disadvantaged, or marginalized residents.