

a digitized inventory of state surplus land sites compiled by the state Department of General Services (DGS). AB 1255 includes a requirement to provide a surplus lands list when requested by certain entities, including “a citizen.” To simplify the requirement and meet the intent of the provision, this bill changes “citizen” to “individual.” [Senate Housing Committee]

- 2) *Housing element cleanup*. Recent legislation revised the code section pertaining to a locality’s adequate sites inventory and placed a sunset on the revision. There is a slight discrepancy in relation to the non-revised language between the section that will sunset, and the section that becomes operating after the sunset. This bill makes a technical correction to ensure conformity between the provisions of law that are in effect before and after the sunset. [Senate Housing Committee]
- 3) *Housing Accountability Act (HAA) cleanup*. SB 330 (Skinner, Chapter 654, Statutes of 2019) and AB 1743 (Bloom, Chapter 665, Statutes of 2019) both amend the HAA. AB 1743 was chaptered last and included jointing language to preserve the SB 330 changes to the HAA, but contained an error in the conforming subdivision changes. This bill corrects the error to ensure the changes in SB 330 are preserved. [Senate Housing Committee]

Under SB 330, changes to a project’s square footage or number of units cannot exceed 20% unless they are included in the project scope as a result of using a “density bonus, incentive, concession, waiver, or similar provision.” This bill clarifies that under the HAA, Los Angeles’ Transit Oriented Communities Program is included in “similar provision.” [Mayor Garcetti’s Office]

Additionally, in the 2017 amendments to the HAA, the Legislature included an option for a local agency to direct the fine money to the Building Homes and Jobs Trust proposed by SB 2 (Atkins, Chapter 364, Statutes of 2017). In the event SB 2 did not pass, language was included to provide to direct the fine revenues into the Housing Rehabilitation Loan Fund. Because SB 2 ultimately did pass, this bill removes the obsolete references to the Housing Rehabilitation Loan Fund and correct the title of the Building Homes and Jobs Trust Fund. [Senate Housing Committee]

- 4) *Density Bonus Law (DBL) update*. The state DBL allows public entities to reduce or eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance, in exchange for affordable units. Allowing more total units allows the developer to spread the cost of the affordable units more broadly over the market-rate units. There are several references to

“handicapped parking” in DBL; this bill updates those references to “parking for persons with a disability.” [Senate Housing Committee]

- 5) *SB 330 and LA’s Transit Oriented Communities (TOC) program.* As noted above (see #3), under SB 330 (Skinner, 2019), changes to a project’s square footage or number of units cannot exceed 20% unless they are included in the project scope as a result of using a “density bonus, incentive, concession, waiver, or similar provision.” This bill clarifies that under requirements for preliminary applications, Los Angeles’ Transit Oriented Communities Program is included in “similar provision.” [Mayor Garcetti’s Office]
- 6) *Los Angeles County Development Authority (LACDA) Housing Advisory Committee membership.* In April 2019, the Community Development Commission and the LA County Housing Authority were merged into one entity, the LACDA, with the LA County of Supervisors serving as the governing board. Prior to the merger, an 11-member Housing Commission served as the advisory board to the Supervisors in their role as LACDA commissioners. The Housing Commission consisted of six tenant members (one appointed by each supervisor). However, under state law, the Board of Supervisors was only allowed to establish a nine-member Housing Advisory Committee for LACDA, including two who must be tenant members. Because federal law requires that at least six members be tenant members, and state law limits the committee to nine members, there are only three seats available for non-tenant members. This bill authorizes LACDA to expand its Housing Advisory Committee to nine members, thereby allowing each Supervisor to appoint a non-tenant member. It also finds and declares that the proposed changes require a special statute because of the unique circumstances of LA County. [County of Los Angeles]
- 7) *Low Income Housing Tax Credit (LIHTC) Program cross references.* State law governing the LIHTC Program allows existing buildings to receive state credits only if they are “at-risk of conversion.” This term is defined to mean a development in which at least 50% of the units have received governmental assistance from an enumerated list of federal and state programs and for which the affordability restrictions will expire within five years. Upon the expiration of the restrictions, the developments may charge market rate rents, displacing current low-income tenants. However, the LIHTC list of enumerated federal and state programs is outdated and incomplete. Cross referencing the list in LIHTC statute with the Preservation Notice Law in the Government Code, which has been kept more up to date, will allow the Tax Credit Allocation Committee (TCAC) to fund currently omitted at-risk properties and make these

developments eligible for TCAC's at-risk set aside. [California Housing Partnership Corporation]

- 8) *No Place Like Home Program (NPLH) operating reserves.* The Mental Health Services Act (MHSA) Housing Program, the precursor to NPLH, awarded capitalized operating subsidy reserves (COSRs) as grants rather than loans. Building on this successful model that maximized private investment and the number of units funded, this bill makes the NPLH COSR a grant as well. This bill also finds and declares that the proposed changes are consistent with, and further the intent of, Proposition 2 of 2018. [California Housing Partnership Corporation]

COMMENTS

- 1) *Purpose of the bill.* The purpose of omnibus bills is to include technical and non-controversial changes to various committee-related statutes into one bill. This allows the legislature to make multiple, minor changes to statutes in one bill in a cost-effective manner. If there is no consensus on a particular item, it cannot be included. There is no known opposition to any item in this bill.

RELATED LEGISLATION:

AB 957 (Committee on Housing and Community Development, Chapter 620, 2019) — made non-controversial changes to sections of law relating to housing.

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, May 20, 2020.)

SUPPORT:

California Housing Partnership Corporation

OPPOSITION:

None received.

-- END --