

Date of Hearing: June 26, 2024

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

SB 1514 (Committee on Local Government) – As Amended June 17, 2024

SENATE VOTE: 39-0

SUBJECT: Local Government Omnibus Act of 2024.

SUMMARY: Enacts the Local Government Omnibus Act of 2024, which proposes a number of non-controversial changes to existing laws governing the powers and duties of local agencies.

FISCAL EFFECT: None.

COMMENTS:

- 1) **Bill Summary.** This bill enacts the Local Government Omnibus Act of 2024, which includes the following provisions:
 - a) **Attestation of Signatures.** Current law requires every ordinance of a county or city to be signed by the chairman of the board or mayor, respectively. These signatures must be attested by the county or city clerk, as applicable. The City of Chino Hills reports that there are differing legal opinions regarding whether a digital signature can be attested to as genuine for these purposes. According to the City, a majority of local agencies already do this, but a few do not on account of the lack of specific legislative clarity. The proposed amendments provide that a clerk may presume as genuine a digital signature that meets the requirements for digital signatures in existing law.
 - b) **Appointment of Sonoma County Registrar of Voters.** Current law provides that the county clerk acts as the ex-officio registrar of voters, but allows 13 counties to appoint a separate registrar of voters (counties that have adopted charters may also appoint a separate registrar of voters). Sonoma County currently combines the county clerk, registrar of voters, assessor, and recorder into a single office. The Sonoma County Board of Supervisors notes that increasing demands on the office of the registrar of voters have prompted other counties to appoint a separate office, and that only eight counties currently have a combined assessor and registrar of voters positions, most of which are significantly smaller counties than Sonoma County. The proposed amendments add Sonoma County to the list of counties that can have a separately appointed registrar of voters.
 - c) **Surplus Land Act.** Current law, the Surplus Land Act (SLA), spells out the steps local agencies must follow when they want to dispose of land. It requires local governments to give a “first right of refusal” to other governments and nonprofit housing developers, and to negotiate in good faith with them to try to come to agreement. Last year, SB 747 (Caballero), Chapter 786, Statutes of 2023, and AB 480 (Ting), Chapter 788, Statutes of 2023, made substantial changes to the SLA to streamline the process of compliance for local agencies and reduce uncertainty. Senate Local Government Committee staff notes that AB 480, which was chaptered last, contained two nonsubstantive drafting errors. First, a drafting error in AB 480 inadvertently struck the requirement that units for

ownership housing be restricted to an affordable sales price for 45 years and instead replaced it with a nonsensical phrase. Second, AB 480 contained an incorrect cross-reference to a non-existent section of law. The current bill fixes these drafting errors, but concerns arose after the bill went into print that the required terms for affordable housing were insufficiently specific. The proposed amendments clarify the terms of affordability covenants, unless a local ordinance or specified financing requirements require a longer term.

- d) **Cemetery District Surplus Fund Investment Authority.** Current law provides that the county treasurer serves as the ex-officio treasurer for many types of special districts, including cemetery districts. However, cemetery districts with more than \$500,000 in annual revenues may withdraw their funds from the control of the county treasurer. Senate Local Government Committee staff notes that this section contains a typographical error. The proposed amendments rectify the error in this section of law.
 - e) **Delayed Enforcement of Code Violations for Accessory Dwelling Units (ADUs).** Current law allows an owner of an ADU that meets specified requirements to request a delay in enforcement of any violations of building standards for five years. Senate Local Government Committee staff notes that this section of law contains an incorrect cross-reference to the definition of ADU, owing to the reorganization of ADU law by SB 477 (Committee on Housing), Chapter 7, Statutes of 2024. The proposed amendments correct the cross-reference.
- 2) **Author's Statement.** According to the author, "SB 1514 compiles, into a single bill, noncontroversial statutory changes to five parts of state laws that affect local agencies and land use. Moving a bill through the legislative process costs the state around \$18,000. By avoiding four other bills, the Committee's measure avoids approximately \$72,000 in legislative costs. Although the practice may violate a strict interpretation of the single-subject and germaneness rules, the Committee insists on a very public review of each item. More than 100 public officials, trade groups, lobbyists, and legislative staffers see each proposal before it goes into the Committee's bill. Should any item in SB 1514 attract opposition, the Committee will delete it. In this transparent process, there is no hidden agenda. If it's not consensus, it's not omnibus."
 - 3) **Arguments in Support.** The City of Alameda writes, "The City of Alameda supports SB 1514 (Committee on Local Government) which, among other provisions, will correct a drafting error by Legislative Counsel in AB 480 (Ting, 2023) which inadvertently struck the requirement that units for ownership housing be restricted to an affordable sales price for 45 years and instead replaced it with a nonsensical phrase. This drafting error impacted the City of Alameda's Surplus Lands Act statute as it relates to Alameda Point, a former Navy base that the City is actively working to redevelop. SB 1514 fixes this inadvertent drafting error, returning the statute to the same language that existed prior to the enactment of AB 480 last year. The City of Alameda supports the efficient redevelopment and leasing of property at former military bases consistent with approved base reuse plans and ensuring that affordable housing goals are met."
 - 4) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Alameda
Sonoma County

Opposition

None on file.

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