

July 12, 2011

Bills	Subject	Status
<u>AB 147</u> <u>(Dickinson)</u> Subdivisions.	AB 147 would authorize local governments to adopt an ordinance pursuant to the Mitigation Fee Act imposing a permit fee that is will help defray the cost of constructing transportation facilities, including pedestrian, bicycle, transit, and traffic calming facilities.	SENATE THIRD READING
<u>AB 148</u> <u>(Smyth)</u> Local government: ethics training: disclosure.	AB 148 was held on the Assembly Appropriations Committee's Suspense File. This bill requires the Controller to withhold any funds to which a local agency is entitled, until the local agency posts its adopted written attendance compensation policy or adopted written reimbursement policy on the local agency's Internet Web site, if any, and submits a copy of the written policy to the Controller.	TWO-YEAR BILL HELD on ASSEMBLY APPR. SUSPENSE FILE
<u>AB 153</u> <u>(Skinner)</u> State Board of Equalization: administration: retailer engaged in business in this state.	AB 153 remains in the Senate Governance & Finance Committee because the contents of this bill have been enacted as part of the budget agreement. This bill would require out-of-state companies that maintain a network in California and thus a presence in the state to collect sales tax on orders received from within California. This bill is closely modeled after a New York law, which expanded the collection of sales tax on certain internet sales. Current policy in California only requires the collection of sales tax on internet sales if the retailer also has a nexus or brick and mortar presence in California. AB 153 would expand the nexus definition to online retailers that have affiliate businesses in California	SENATE G. & F.
<u>AB 155</u> <u>(Calderon, Charles)</u> Use tax: retailer engaged in business.	Although budget trailer bill, ABX 28, already enacted the changes in AB 155, as well as AB 153 and SB 243, the author decided to move this bill forward to the Senate Appropriations Committee. Complementary to AB 153, this bill would also expand the collection of sales and use tax revenue on	SENATE APPR.

	internet transactions. AB 155 proposes to expand the definitions of a retailer engaged in the business of this state to include retailers that are part of a “commonly controlled group.” This would include an online retailer that also owns or controls another business that has a “brick and mortar” presence in the state.	
<u>AB 324</u> (Buchanan) State buildings: building locations: considerations.	AB 324 would require the state Department of General Services when selecting a location for new state office space in excess of 10,000 square feet to consider the location of the building to the population served by the building, the location of the workforce to use the building, and availability of frequent transit service.	SENATE APPR
<u>AB 392</u> (Alejo) Ralph M. Brown Act: posting agendas.	AB 392 was also held on the Assembly Appropriations Committee’s Suspense File. This bill requires a local agency to post, at least 72 hours before a regular meeting of a legislative body, the agenda and applicable staff-generated reports on the local agency’s Internet Web site, if any. For a local agency without an Internet Web site, the bill requires a local agency to disclose on the physically posted agenda the public location where the local agency makes available any applicable staff-generated reports for public inspection and copying at least 72 hours in advance of the regular meeting.	TWO-YEAR BILL HELD on ASSEMBLY APPR. SUSPENSE FILE
<u>AB 427</u> (John A. Pérez) Transportation bond funds: transit system safety	As currently drafted AB 427 would authorize commuter rail operators that receive STA funds to be eligible to receive allocations from both the 60% and 15% pot in the Prop 1B Transit System Safety, Security and Disaster Response Account. AB 427 would also create a process that would allow for the reallocation of funds if they are not going to be spent by the operator. The bill is currently in the Senate Appropriations Committee and the author’s staff has stated that amendments are being drafted to change the programing of these funds to mimic the process for the Prop 1B Transit Capital funds. This change is intended to address concerns raised by CalACT.	SENATE APPR

<p><u>AB 441</u> (<u>Monning</u>) State planning.</p>	<p>AB 441 promotes the incorporation of the findings of the Health in All Policies Task Force that was created by in 2008 by Governor Schwarzenegger. This bill would require the California Transportation Commission to work with Caltrans and other state departments, on the development of health goals and health equity factors that would be incorporated into the guidelines used for developing regional transportation plans. In addition, the bill would also require the guidelines used by local governments for developing a general plan to also include provisions that address health goals.</p>	<p>TWO-YEAR BILL HELD on ASSEMBLY APPR. SUSPENSE FILE</p>
<p><u>AB 650</u> (<u>Blumenfield</u>) Blue Ribbon Task Force on Public Transportation for the 21st Century.</p>	<p>AB 650 was barely approved by the Senate Transportation Committee on the second attempt. The bill now moves to the Rules Committee for further consideration.</p> <p>The task force would consist of 12 members appointed by the Senate and Assembly. The representatives would range from business and labor to public and private transit operators and transit advocacy groups. The findings of the Commission shall be submitted to the Legislature by March 31, 2013. The bill appropriates \$750,000 from the Public Transportation Account to fund the study and hearing requirements in the bill.</p>	<p>SENATE APPR</p>
<p><u>AB 710</u> (<u>Skinner</u>) Local planning: infill and transit-oriented development.</p>	<p>AB 710 would enact the Infill Development and Sustainable Communities Act of 2011. In short, this bill would establish minimum parking standards for development in “transit intensive areas,” which is an area within ½ mile of a major transit stop or corridor. For new development projects in transit intensive areas, AB 710 prohibits cities and counties from requiring a minimum parking standard greater than:</p> <ul style="list-style-type: none"> • One space per 1,000 square feet of nonresidential improvements, and • One space per residential unit. <p>The bill’s prohibition does not apply if specified findings are made.</p>	<p>SENATE APPR</p>
<p><u>AB 1097</u> (<u>Skinner</u>) Transit projects: domestic content.</p>	<p>AB 1097 allows BT&H to simply authorize a state or local agency receiving federal funds for transit purposes to provide a bidding preference to a bidder if the bidder exceeds Buy America requirements.</p>	<p>SENATE FLOOR</p>

<p><u>AB 1164</u> (<u>Gordon</u>) Federal Transportation Funds</p>	<p>AB 1164 was recently amended to authorize Caltrans to exchange Prop 1B bond funds for unused federal obligational authority. This bill would enable the state, at the end of the federal fiscal year, to commit any unobligated federal funds that the state would be at risk of losing to read-to-go, bond projects. The bond funds, once sold, would be used to repay the State Highway Account. In addition, if other states forfeit federal funds, California would be in a position to claim those funds, under the provisions of federal law.</p>	<p>SENATE RULES</p>
<p><u>AJR 5</u> (<u>Lowenthal,</u> <u>Bonnie</u>) Transportation revenues.</p>	<p>AJR 5 was approved by both the Assembly and Senate and has been chaptered by the Secretary of State. This resolution urges the President and Congress to study the feasibility of collecting transportation revenue based on vehicle miles travelled. This resolution is moving quickly through the Legislature and is currently at its last stop on the Senate Floor.</p>	<p>ASSEMBLY CHAPTERED</p>
<p><u>SB 234</u> (<u>Hancock</u>) State Board of Equalization: administration: use tax.</p>	<p>The provisions of SB 234 were also enacted as part of ABX 28.</p> <p>SB 234 defines a retailer engaged in business in this state as a retailer that has substantial nexus with this state and a retailer upon whom federal law permits the state to impose a use tax collection duty. Currently, it is the responsibility of the consumer to remit use tax on internet purchases. This bill would shift the responsibility to vendors to collect and remit use taxes, just like any business with a physical presence in CA already does.</p>	<p>ASSEMBLY Rev & Tax</p>
<p><u>SB 582</u> (<u>Yee</u>) Commute benefit policies</p>	<p>SB 582 was approved by the Assembly and is currently pending a concurrence vote on the Senate Floor. The bill was not amended to expand the application of this bill to areas not within an MPO. After the California Chamber adopted an oppose position, the author of the bill was changed from Senator Emerson to Senator Yee.</p> <p>SB 582 authorizes, until January 1, 2017, a metropolitan planning organization and an air district to adopt jointly an ordinance that requires certain employers located within their common area of jurisdiction to offer their employees commute alternative options.</p>	<p>SENATE FLOOR Concurrence in Assembly Amendments</p>

<p><u>SB 910</u> <u>(Lowenthal)</u> Bicycles; Passing Distance</p>	<p>SB 910 sets requirements for safe passing of bicyclists by motor vehicles and establishes fines and penalties for failure to abide by these requirements. The establishes the following requirements:</p> <ol style="list-style-type: none"> 1) Requires the driver of a motor vehicle, passing a bicycle traveling in the same direction, to pass at a safe distance with reasonable consideration of the size and speed of the motor vehicle and roadway conditions. 2) Prohibits a driver of a motor vehicle from overtaking or passing a bicycle, proceeding in the same direction, at a distance of less than three feet. 3) When it is not possible to provide three feet of clearance, authorizes a motor vehicle to pass a bicycle with less than three feet of clearance provided that the vehicle's passing speed is not greater than 15 miles per hour (mph). <p>The bill also allows a driver to cross a double yellow line when travelling on narrow roads.</p>	<p>ASSEMBLY FLOOR</p>
---	--	-----------------------