

Outlook for the 2013/14 Legislative Session

City of West Hollywood

Submitted by
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The California State Legislature will convene its 2013-2014 Legislative Session on December 3, 2012. It is anticipated that a number of issues important to the City will be addressed during the session.

This memo outlines some of the major issues for 2013-14.

Housing

The California Homes and Jobs Act:

Top priority for housing advocates is the passage of the HOMeS (Housing Opportunity and Market Stabilization Act of 2013).

The proposal, to be introduced early in the 2013-2014 legislative session is a reintroduction of an almost identical bill that failed passage last year.

The HOMeS Act proposes to add a \$75 fee on the recordation of real estate documents — excluding home sales — to leverage private investment in homes and jobs for Californians and create a HOMeS Trust Fund.

It is estimated the fee will generate approximately \$500 million per year for the state's HOMeS Trust Fund.

The Trust Fund will be used to develop new affordable homes, mitigate foreclosures, build shelters for people in need, and assist in creating new homeowner opportunities.

Senator Mark DeSaulnier (D-Contra Costa County) has agreed to be the author of the HOMeS Act.

The HOMeS Act is sponsored by Housing California which has launched a campaign to coordinate the advocacy for the legislation. A copy of the proposed bill and a fact sheet are attached.

Proposition 1C Funds:

The Governor signed two bills in 2012, AB 1951 (Atkins) and AB 1585 (Perez) that re-appropriate a total of \$80 million in unused and underutilized funds from Proposition 1C to support multi-family and in-fill housing development. These funds will be distributed in 2013 by the state Department of Housing and Community Development (HCD).

Housing, (con't)

AB 1951 (Atkins) transfers \$30 million from select programs funded by the Housing and Emergency Shelter Trust Fund Act of 2006 to the Multifamily Housing Program. AB 1951 requires HCD to issue a Notice of Funding Availability (NOFA). The NOFA will specify that HCD shall consider persons with developmental disabilities, homeless and veterans as special needs populations for the purpose of granting bonus points to affordable housing developments.

AB 1585 (Pérez) allows HCD to award \$50 million in infill and transit-oriented development funding: \$25 million is reserved for the Infill Incentive Grants Program and \$25 million is to be distributed through the Transit-Oriented Development Program. The funds will be deposited into the Regional Planning, Housing, and Infill Incentive Account and made available through the Infill Incentive Grants and the Transit-Oriented Development Programs.

Health Care Reform

In August 2012, Governor Brown announced that he will call a special legislative session focused on implementing the federal health reform law. Based on the lack of information from the federal government, the Governor vetoed a number of important health care reform implementation bills at the end of the just concluded legislative session. The Governor stated that many important issues and questions about the new healthcare law and its implementation could not be addressed without further guidance from the federal government and additional analysis.

The Governor will call the Legislature into Special Session simultaneously with the convening of the Legislature's 2013-14 Legislative Session. The Special Session will run concurrently with the regular 2013-14 Legislative session. The special session will focus primarily on two issues: Medi-Cal expansion and individual insurance market reforms.

Throughout 2013 the California Healthcare Exchange, now called *Covered California*, will continue to implement the federal health care law by adopting policies and requirements to make health insurance affordable and accessible for all Californians. *Covered California* will also be launching a public education campaign, determining basic benefits that health insurance plans must provide and certifying which insurers can sell products through *Covered California*. *Covered California* expects insurance companies to begin enrollment in October, 2013.

GLBT Civil Rights

***Perry v Brown*, (Proposition 8 challenge)**

The U.S. Supreme Court has indicated it will decide during November, 2012, whether to review *Perry v Brown*, the same sex marriage case that has been adjudicated by lower courts and is now on appeal to the U.S. Supreme Court. If the court denies the appeal, the ruling by the 9th Circuit U.S. Court of Appeals striking down Proposition 8 will go into effect immediately and same-sex couples could once again legally wed in California. If the court agrees to proceed with the appeal, it will hear oral arguments in the spring 2013 and decide the issue by the end of its term in June. If the court decides in favor of the plaintiff, the ban will be invalidated. If the court rules in favor of keeping the ban, any new proposals to repeal the constitutional provision banning same-sex marriage would have to go before the voters.

SB 48 FAIR Education Act – Potential for Repeal

It is anticipated that legislation will be introduced to repeal SB 48 (Leno - Chapter 81, Statutes of 2011). The FAIR Education Act requires schools to integrate factual information about social movements, current events and history of people with disabilities and LGBT people into existing social studies lessons. SB 48 was implemented beginning with the 2012-13 academic year. Opponents attempted to repeal the measure through the initiative process but failed to collect enough signatures to qualify for the ballot. It is unlikely, with the democratic supermajority in both houses, that any legislation would be successful.

Seniors

The California Senior Legislature met in Sacramento in early November and adopted its legislative priorities for 2013-14. Many of these proposals are likely to be introduced into the 2013-14 Legislative Session. A summary of the priorities is attached.