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Carolyn Emery

Executive Officer

Scott Smith

General Counsel

October 12, 2022

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Assistant Executive Officer

SUBJECT: Legislative Report (October 2022)

BACKGROUND

The 2022 legislative session ended with legislation moving through the House and Senate to meet the September 30th deadline for Governor Newsom to sign or veto bills. The table on the following page provides the final status of each bill reviewed by the Commission during the 2022 legislative session. As AB 2449 may have some direct impacts to the Commission, legal counsel has been requested to provide additional details of the enacted legislation during the November 9 meeting.

As the 2022 legislative session comes to a close on November 30, the Legislature will be gearing up for the 2023 session in the coming months. Additionally, the California Association of Local Agency Formation Commissions (CALAFCO) will lead two legislative efforts during the next session that include co-sponsorship of the annual Omnibus Bill and proposed amendments to Government Code Section 56133 to clarify LAFCO's authority involving the extension of services by an agency. Staff will engage in these efforts accordingly as members of CALAFCO's legislative and advisory committees.

2022 Proposed Legislation			
Bill	Description	Commission's Adopted Position	Status
AB 1944	Proposes to allow a legislative body to decide by a majority vote if the body's public meetings will provide the opportunity for its members to attend by teleconference and not require its members to identify the address of any private location from which the member elects to participate.	Watch	Died in the Senate Governance and Finance Committee.
AB 2081	Proposes to extend the sunset date to allow some Indian tribes contiguous to a special district to request water services. The district is mandated to provide the services without the local LAFCO conducting a thorough review of the extension of service.	Oppose	Signed by the Governor on September 23, 2022.
AB 2449	Proposes to allow members of a legislative body to request to attend the body's public meeting by teleconference and not require its members to identify the address of any private location from which the member elects to participate. Members' requests shall be for reasons pertaining to emergency circumstances, illness, or travel, and requests must be approved by a majority vote by the legislative body, and a quorum of the legislative members must be in person from a singular location during the regular meetings.	Watch	Signed by the Governor on September 13, 2022.
AB 2647	Proposes that a local agency that receives written communication for members of its legislative body in less than 72 hours before an open meeting to promptly post the communication. The transmission must be posted at a public office or designated location by the local agency.	Support	Signed by the Governor on September 30, 2022.

Bill	Description	Commission's Adopted Position	Status
AB 2957	Makes minor and/or non-substantive changes to the CKH act and provides consistency in how the Act is applied throughout the State.	Support	Signed by the Governor on June 21, 2022.
SB 938	Proposes to amend the protest provisions included in the CKH Act by consolidating and reorganizing the provisions and modifying the protest threshold for LAFCO-initiated dissolution of special districts.	Support	Signed by the Governor on July 1, 2022.
SB 1449	Proposes a grant program to support the annexation of unincorporated islands substantially surrounded by a city.	Support	Vetoed by the Governor on September 30, 2022.
SB 1490 SB 1491 SB 1492	Yearly Validating Acts are meant to retroactively fix typographical, grammatical, and procedural errors that might invalidate boundary changes or bond issues.	Support	Signed by the Governor on July 1, 2022.


The next legislative report anticipated for January 2023 will include a summary of anticipated legislation for the 2023 legislative session and an update on CALAFCO's appointments to its Legislative and Advisory Committees.


RECOMMENDED ACTION

Staff recommends that the Commission:

1. Receive and file the October 12, 2022 Legislative Report.

Respectfully submitted,


 CAROLYN EMERY


 LUIS TAPIA