



Legislative Bulletin

DRAFT

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Item No. 26

County of Orange Positions on Proposed Legislation

The Legislative Bulletin provides the Board of Supervisors with analyses of measures pending in Sacramento and Washington that are of interest to the County. Staff provides recommended positions that fall within the range of policies established by the Board. According to the County of Orange Legislative Affairs Program Guidelines adopted by the Board of Supervisors on January 25, 2022, staff recommendations for formal County positions on legislation will be agendized and presented in this document for Board action at regular Board of Supervisors meetings. When the Board takes formal action on a piece of legislation, the CEO will direct the County's legislative advocates to promote the individual bills as approved by the Board. The Legislative Bulletin also provides the Board of Supervisors with informative updates on State and Federal issues.

The 2023-2024 Legislative Platform was adopted by the Board of Supervisors on December 20, 2022.

On January 9, 2023, the Board of Supervisors will consider the following actions:

RECOMMENDED ACTIONS

- 1. Receive and File Legislative Bulletin**

INFORMATIONAL ITEMS

- 1. County Position Matrix: CEO-LA**
- 2. Sacramento Legislative Report**
- 3. Washington DC Legislative Report**

INFORMATIONAL ITEMS

1. County Position Matrix: CEO-LA

The tables below list the bills the Board of Supervisors has taken positions on in the 2023-24 legislative session.

State Legislation

As of Thursday, January 4, 2023


Bill No.	Author	Subject	Position	Date of Board Action	Status
<u>SB 44</u>	<u>Umberg</u>	Controlled substances	Support	1.24.23	Senate Public Safety Committee – 2 Year Bill
<u>SB 91</u>	<u>Umberg</u>	California Environmental Quality Act: exemption: supportive and transitional housing: motel conversion	Support	3.14.23	Chaptered
<u>AB 307</u>	<u>Chen</u>	Structural fumigation enforcement program	Support	3.14.23	Chaptered
<u>AB 400</u>	<u>Rubio</u>	Local agency design-build projects: authorization	Support	3.14.23	Chaptered
<u>AB 1270</u>	<u>Dixon</u>	Redevelopment: successor agency: City of Lake Forest	Sponsor	3.14.23	Chaptered
<u>SB 19</u>	<u>Seyarto</u>	Anti-Fentanyl Abuse Task Force	Support	3.28.23	Chaptered
<u>SB 62</u>	<u>Nguyen</u>	Controlled substances: fentanyl	Support	3.28.23	Senate Public Safety Committee – 2 Year Bill
<u>AB 701</u>	<u>Villapudua</u>	Controlled substances: fentanyl	Support	3.28.23	Chaptered
<u>AB 1058</u>	<u>Patterson</u>	Controlled substances: fentanyl	Support	3.28.23	Assembly Public Safety Committee – 2 Year Bill
<u>SB 706</u>	<u>Caballero</u>	Public contracts: progressive design-build: local agencies	Support	4.11.23	Chaptered
<u>AB 684</u>	<u>Ta</u>	County veterans service officers: additional resources	Support	4.25.23	Assembly Appropriations Committee – 2 Year Bill
<u>AB 955</u>	<u>Petrie-Norris</u>	Controlled substances	Support	5.9.23	Assembly Rules Committee
<u>AB 1057</u>	<u>Weber</u>	California Home Visiting Program	Support	5.9.23	Vetoed
<u>AB 1304</u>	<u>Papan</u>	Weights and measures: inspection fees	Support	5.9.23	Chaptered
<u>AB 1168</u>	<u>Bennett</u>	Emergency Medical Services (EMS): prehospital EMS	Oppose	6.27.23	Senate Floor 2 Year Bill
<u>SB 14</u>	<u>Grove</u>	Serious felonies: human trafficking	Support	8.8.23	Chaptered
<u>SB 326</u>	<u>Eggman</u>	The Behavioral Health Services Act	Concerns	8.22.23	Chaptered

Federal Legislation

As of Thursday, January 4, 2023

Bill No.	Author	Subject	Position	Date of Board Action	Status
<u>S 24</u>	Feinstein	Fighting Homelessness Through Services and Housing Act	Support	4.25.23	Senate Committee on Health, Education, Labor and Pensions
<u>HR 516</u>	Lieu	Fighting Homelessness Through Services and Housing Act	Support	4.25.23	House Committee on Financial Services

HR 984	Levin	Commitment to Veteran Support and Outreach Act	Support	4.25.23	House Committee on Veteran's Affairs
HR 467	Griffith	Halt All Lethal Trafficking (HALT) of Fentanyl Act	Support	6.06.23	Senate Judiciary Committee
S 971	Cassidy	Due Process Continuity of Care Act	Support	6.06.23	Senate Finance Committee
HR 3862	Levin	Spent Fuel Prioritization Act of 2023	Support	6.27.23	House Committee on Energy and Commerce

 Highlighted sections symbolize a status change.

2. Sacramento Legislative Report

Prepared by Precision Advocacy Group LLC

The first weeks back to Sacramento in the second year of a two-year session always begin with a sense of urgency as two-year bills must advance out of their house of origin by January 31, requiring policy committees and fiscal hearings to immediately begin. Simultaneously, legislators are submitting language to legislative counsel, introducing new bills, vetting proposals, and preparing to move new bills through the legislative process.

Just as the legislature returned January 3 from interim recess, the first Assembly floor session of the year was forced to adjourn early due to interruptions from hundreds of protesters in the Assembly gallery demanding lawmakers call for a cease-fire in the Israel-Hamas conflict. Interruptions to floor sessions and committee hearings have become more prevalent in recent years with protests related to vaccinations, the COVID-19 pandemic, and behavioral health legislation. While legislators were in their districts after session adjourned in September, protests on both sides of the Israel-Hamas conflict took place on the steps of the capitol.

Legislators' priorities will become clearer in the coming weeks with their introduction of new legislation. As new bills are introduced and two-year bills are amended, we will inform CEO-Legislative Affairs of policies that may impact the County.

Budget

Compounding the beginning of session rush is the introduction of the governor's budget proposal by January 10. With the Legislative Analyst's Office (LAO) anticipating a \$68 billion deficit going into the 2024-25 budget year, lawmakers and staff will be eager to examine the Department of Finance's revenue and spending estimates next week, as well as the administration's proposals to close a large revenue shortfall.

Implications of the budget deficit will be many. In the last few years, the budget picture has changed dramatically, and most legislators who were present during the lean years between 2008 and 2013 have termed out of the legislature. Current lawmakers have witnessed California's revenue volatility first-hand, seeing an almost \$100 billion surplus in 2022, as compared to our current deficit. The current legislature has yet to experience the true pain of cutting safety net services for vulnerable populations, which may be contemplated during this budget cycle.

Although legislators are free to introduce bills that result in new state costs, those measures are far more likely to end up held in the appropriations committees during times of deficit. Alternatively, if legislation moves all the way through the legislative process and is sent to the governor without new costs being included in the budget, he is highly likely to veto those bills as he did last year.

Legislators' requests for funding for district priorities are likely to be more limited, and new funding for statewide projects extremely difficult to obtain.

The legislature and administration may also look to bond revenues to assist the state out of the deficit, however, they will have to pick and choose carefully. Governor Newsom has indicated that he anticipates a prudent bond limit would be about \$26 billion. Assuming Proposition 1 is approved by voters in March, that leaves \$19.62 billion in bonds to consider. As a reminder, Proposition 1 will reform the Mental Health Services Act (Proposition 63, 2004) and provide \$6.38 billion in bonds to finance grants for the acquisition of capital assets for, and the construction and rehabilitation of, unlocked, voluntary, and community-based treatment settings and residential care settings.

Some of the other bonds that could move forward in 2024 are outlined below, however additional measures may also be introduced this year.

AB 305 (Villapudua) California Flood Protection Bond Act of 2024. Places a \$4.5 billion flood protection and dam safety improvement bond before the voters. Funding for the county is not called out in the bill's language, as projects specifically identified are in the Central Valley. Orange County would be eligible to compete for \$2.5 billion in funding.

Status: Awaiting hearing in the Senate Natural Resource & Water and Senate Governance & Finance Committees

AB 1510 (Jones-Sawyer) Fighting Fentanyl Bond Act of 2024. Would authorize the issuance of bonds (unknown amount currently), for purposes of financing, among other things, substance use treatment, harm reduction programs, supportive services for students, programs targeting drug trafficking, substance use treatment programs in prisons and juvenile facilities, and recovery housing and transitional housing for previously incarcerated individuals. Assuming passage of the bond, Orange County would be eligible to compete for grant funding, however specific allocation parameters are not outlined in the measure.

AB 1567 (Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024. Places a \$15.955 billion climate resilience general obligation bond before the voters. Orange County would be eligible to compete for grant funding.

Status: Awaiting hearing in the Senate Natural Resource & Water and Senate Governance & Finance Committees

SB 28 (Glazer) Education finance: school facilities: Public Preschool, K–12, and College Health and Safety Bond Act of 2024. Authorizes a \$15 billion bond measure for the construction and modernization of public preschool, K-12, community college, University of California, and California State University facilities. Although there is not anticipated to be a direct impact on the county, this funding is likely to improve facility conditions for students across the state.

Status: Awaiting hearing in the Assembly Appropriations Committee

SB 638 (Eggman) Climate Resiliency and Flood Protection Bond Act of 2024. If approved by voters, SB 638 authorizes \$6 billion in general obligation bonds for flood protection and climate resiliency projects. Grants will be approved on a competitive basis, however much of the funding is focused on the Central Valley. Orange County would be eligible to compete for grant funding.

SB 834 (Portantino) Housing: California Family Home Construction and Homeownership Bond Act of 2023. Dedicates \$25 billion in general obligation bonds, subject to voter approval in November 2024, for homeownership opportunities, including \$18 billion for mortgage loans for first time homebuyers and \$7 billion in infrastructure loans for new home construction. It is possible the county would be eligible to receive bond funding for new home construction, although it is more likely that developers will utilize the bulk of the funding.

Status: Awaiting hearing in the Assembly Housing & Community Development Committee

[SB 867 \(Allen\) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.](#) If approved by the voters, this measure would authorize the issuance of bonds in the amount of \$15.5 billion to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs. This is the most specific of the measures, with a long list of projects, however Orange County is not included in the projects which are guaranteed funding. The county would be eligible to compete for the bulk of the funding which will be released through competitive grants.

Status: Awaiting hearing in the Assembly Natural Resources Committee

Upcoming Initiatives

Currently, there are five [qualified statewide initiatives](#) to be voted on by California voters in 2024. Proposition 1 will be considered by voters on March 5, 2024, and four other measures will be voted upon on November 5, 2024.

March 5, 2024, Statewide Ballot Measure

Proposition 1

- [AB 531, Chapter 789, Statutes of 2023, The Behavioral Health Infrastructure Bond Act of 2023](#)
- [SB 326, Chapter 790, Statutes of 2023, The Behavioral Health Services Act](#)

Portions of AB 531 and SB 326 will appear on the ballot as Proposition 1. Proposition 1 would reform the Mental Health Services Act (Proposition 63, 2004) and provide \$6.38 billion in bonds to finance grants for the acquisition of capital assets for, and the construction and rehabilitation of, unlocked, voluntary, and community-based treatment settings and residential care settings. It would also house veterans and others who are experiencing homelessness or are at risk of homelessness and are living with a behavioral health challenge.

Impacts: Proposition 1 would fund additional housing for individuals with behavioral health issues in Orange County. Individuals served under current county MHSA programs may lose services that are no longer funded due to the shift in prioritization to housing.

According to the [LAO summary](#), Proposition 1 would shift roughly \$140 million annually of existing tax revenue for mental health, drug, and alcohol treatment from counties to the state. Costs for the state bond repayments are estimated to be \$310 million annually for 30 years.

November 5, 2024, Statewide Ballot Measures

SCA 2 (Allen) Public housing projects, Chapter 182, Statutes of 2022

Repeals Article 34 of the California Constitution, which requires development, construction, or acquisition of publicly funded low-rent housing projects to be approved by a majority of voters in a city or county.

Impacts: We do not anticipate that Orange County would face fiscal impacts if SCA 2 passes, however, the measure would reduce local control.

To the extent repealing the voter-approval requirements in Article 34 makes it easier to develop, construct, and acquire publicly funded low-income housing, this measure may result in increased public expenditures for those purposes. There would also be local savings from avoided election costs.

[ACA 1 \(Aguiar-Curry\) Local government financing: affordable housing and public infrastructure: voter approval, Chapter 173, Statutes of 2023](#)

This constitutional amendment would allow a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure.

Impacts: ACA 1 would lower the voter threshold to 55% if Orange County seeks voter approval for investments in public infrastructure and affordable housing.

[ACA 13 \(Ward\) Voting thresholds, Chapter 176, Statutes of 2023](#)

ACA 13 would require an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. In addition, the measure would guarantee in the state constitution the ability of local governments to submit advisory questions to voters.

Under current law, a simple majority of voters (50% + 1 vote) may vote to require a supermajority (66%) voter approval for future action. This framework has given disproportionate power to a small number of voters, with little more than one-third of voters able to prevent the enactment of laws that a majority of voters support.

Impacts: ACA 13 is one tool adopted by the legislature to make passage of the Taxpayer Protection and Government Accountability Act (outlined later in this report) more difficult. The Taxpayer Protection and Government Accountability Act would make raising revenues at the state and local levels more difficult.

[ACA 5 \(Low\) Marriage equality, Chapter 125, Statutes of 2023](#)

This constitutional amendment would repeal the provision of the California Constitution that limits marriage to a “man and a woman,” and replaces it with a provision that expressly affirms that the right to marry is a fundamental right.

Impacts: ACA 5 is not anticipated to impact Orange County’s policies or funding.

There are six initiatives eligible for the November 2024 general election. A measure is eligible when the required number of signatures has been submitted to and verified by county elections officials. Eligible measures are qualified for the ballot on the 131st day prior to the next statewide general election, unless withdrawn by the proponents prior to its qualification by the Secretary of State.

[1935. \(21-0042A1\) Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services – Taxpayer Protection and Government Accountability Act](#)

- For new or increased state taxes currently enacted by a two-thirds vote of the legislature, it also requires statewide election and majority voter approval.
- Limits voters’ ability to pass voter-proposed local special taxes by raising vote requirement to two-thirds.
- Eliminates voters’ ability to advise how to spend revenues from proposed general tax on the same ballot as the proposed tax.
- Expands the definition of taxes to include certain regulatory fees, broadening the application of tax approval requirements.
- Requires the legislature or local governing body to set certain other fees.

Impacts: Should this initiative be passed by voters, it would apply to any tax and certain fees adopted after January 1, 2022. As a result, any jurisdiction that has passed a sales tax measure or fee since that time would have to have it reapproved by voters.

According to the [LAO summary](#), by expanding the definition of taxes and restricting administrative changes to fees, the measure would make it more difficult for local governments to raise revenue.

Consequently, future local tax and fee revenue could be lower than they would be otherwise. The actual impact on local government revenue depends on various factors, including future decisions by the courts, local governing bodies, and voters.

By expanding the definition of a tax, increasing the vote requirements for approving taxes, and restricting administrative changes to fees, the measure would make it harder for the legislature to increase nearly all types of state revenues. The extent to which revenues would be lower under the measure also depends on various factors, most notably future decisions made by the legislature and voters. Due to the uncertainty of these factors, the LAO cannot estimate the amount of reduced state revenue, but it could be substantial.

In some cases, state and local departments would need to develop methods for setting fees to reflect actual costs if the legislature or local governing bodies wanted to change those fees in the future. Estimating actual costs by program and fee source could involve some added workload for those state and local departments, which likely would be supported by fee revenue. The extent of these administrative costs would depend on whether the state and local governments determine a fee increase is needed to maintain their current level of programs and services funded through fee revenue and future court decisions.

1936. (21-0043A1) Raises Minimum Wage

Existing law requires annual increases to California's minimum wage until it has reached \$15.00 per hour for all businesses on January 1, 2023. This measure extends these annual increases (\$1.00 per year) until minimum wage reaches \$18.00 per hour. Thereafter, as existing law requires, the minimum wage will annually adjust for inflation. In periods of decreased economic activity, or General Fund deficit, the governor may suspend the annual increase up to two times, thereby extending the timeline for reaching \$18.00 per hour.

Impacts: This measure would likely increase costs to pay for Orange County employees and work done by workers that are not county employees. The impact on local tax revenue in the positive or negative is unclear.

According to the [LAO summary](#), the measure could have a wide range of economic effects:

- Higher Wages – Workers who would have made less than \$18 per hour would instead make \$18 or more per hour by 2026. Some workers who already would have made more than \$18 per hour also likely would get a raise.
- Higher Prices – Wage increases would increase costs for many businesses. These businesses likely would raise the prices they charge for the things they sell.
- Lower Profits – The costs of higher wages likely would reduce businesses' profits.
- Fewer Jobs – The measure would make workers more expensive, so businesses likely would hire fewer of them.

The increased government costs to pay for workers likely would total a few billion dollars per year.

Savings from lower enrollment in health and human services programs would likely reduce state and local costs by hundreds of millions of dollars to over \$1 billion annually.

Overall, whether the measure would make tax revenues go up or down is unclear. Revenue changes likely would be between a loss of a couple billion dollars and a gain of a few hundred million dollars. The measure would change income tax revenues because of its effects on wages, prices, and business owners' incomes. The measure would change spending on taxed items because of its effects on incomes and prices.

The LAO estimates that on net, the measure would increase annual state and local government costs, likely between half a billion dollars and a few billion dollars.

1916. (21-0022A1) Provides Funding for Pandemic Detection and Prevention by Increasing Tax on Personal Income Over \$5 Million

Increases tax on personal income over \$5 million by 0.75% for 10 years and allocates new tax revenues as follows:

- 50% to the California Institute for Pandemic Prevention (established by this measure), to award grants for research and development of technologies to detect and prevent future pandemics;
- 25% for public health programs for pandemic preparedness; and
- 25% for improvements to school facilities to limit disease transmission.

Creates an independent scientific governing board to administer the Institute; requires board members to have specified medical, technological, or public-health expertise.

Impacts: This measure would provide additional funding to Orange County for public health programs and to local educational agencies for school facility improvements.

According to the [LAO summary](#), the new tax would increase state revenues by \$500 million to \$1.5 billion annually for ten years. The new revenues would be entirely dedicated to increasing funding for public efforts related to infectious disease control and pandemic prevention. Over ten years, the measure would allocate around \$2.5 billion each to (1) state and local public health programs and (2) K-12 school facility improvements.

1921. (21-0027A1) Eliminates Employees' Ability to File Lawsuits for Monetary Penalties for State Labor-Law Violations

- Repeals the Private Attorneys General Act (PAGA), the 2004 law allowing employees to file lawsuits on behalf of themselves and other employees against employers to recover monetary penalties for certain state labor law violations.
- The Labor Commissioner retains the authority to enforce labor laws and impose penalties.
- Eliminates the Labor Commissioner's authority to contract with private organizations or attorneys to assist with enforcement.
- Requires the legislature to provide funding for Labor Commissioner enforcement.
- Requires the Labor Commissioner to provide pre-enforcement advice; and allows employers to correct identified labor law violations without penalties.
- Authorizes increased penalties for willful violations.

Impacts: Employees would no longer be permitted to file lawsuits on behalf of themselves and other employees against the county to recover monetary penalties for labor law violations.

According to the [LAO summary](#), the measure likely would increase state costs, possibly exceeding \$100 million per year. These costs are due to additional workload on the Labor Commissioner, which likely would be paid from increased state fees on businesses or from the state General Fund. The initiative would also result in reduced state revenue from the elimination of PAGA penalties, estimated to be in the tens of millions of dollars annually.

The measure would result in changes in state trial court workload, some parts decreasing workload and other parts increasing workload. Employees would no longer be able to file PAGA lawsuits in the trial courts, resulting in decreased workload for those types of cases. On the other hand, trial courts could receive an increased number of appeals of Labor Commissioner decisions or an increased number of class action lawsuits or other civil filings that otherwise would have been pursued as PAGA lawsuits.

1942. (22-0008) Expands Local Governments' Authority to Enact Rent Control on Residential Property

Current state law (the Costa-Hawkins Rental Housing Act of 1995) generally prevents cities and counties from limiting the initial rental rate that landlords may charge to new tenants in all types of housing, and from limiting rent increases for existing tenants in residential properties that were first

occupied after February 1, 1995; single-family homes; and condominiums. This measure would repeal that state law and would prohibit the state from limiting the right of cities and counties to maintain, enact, or expand residential rent-control ordinances.

Fiscal Impacts: This measure could impact Orange County if the county were to create new rent control laws or expand existing ones.

According to the [LAO summary](#), the measure likely would reduce state and local revenues over time. The largest effect would be on property taxes. The amount of revenue loss would depend on many factors, most importantly how communities respond to this measure. For example, if communities that already have rent control expand their rules to include newer homes and single-family homes, revenue losses could be in the high tens of millions of dollars per year. If many communities create new rent control rules, revenue losses could be larger. If few communities make changes, revenue losses would be more limited and dependent on the scope of rent control laws that automatically expanded in response to the repeal of Costa-Hawkins.

[1940. \(22-0006\) Referendum Challenging 2022 Law Prohibiting New Oil and Gas Wells Near Homes, Schools, and Hospitals.](#)

SB 1137, Chapter 365, Statutes of 2022 law will not take effect unless approved by voters after November 8, 2022. The challenged law:

- Prohibits most new or modified oil and gas wells within 3,200 feet of specified locations, including housing, schools, daycares, parks, healthcare facilities, community resource centers, detention facilities, and businesses open to the public.
- Requires existing wells in these areas meet specified health, safety, and environmental requirements by January 1, 2025.

Impacts: Orange County revenues could be impacted by this measure dependent upon the county's oil and gas wells and their locations. Specific impacts are unclear at this time.

Governor's Press Releases

Below is a list of the governor's press releases beginning December 20.

January 3: [Governor Newsom Announces World-Leading Science & Technology Research Center in Los Angeles](#)

January 2: [TOMORROW: In Los Angeles County, Governor Newsom, U.C. System and Business Leaders to Make Major Science and Technology Announcement](#)

January 2: [Governor Newsom Announces Appointments 1.2.24](#)

December 29: [New Laws Going Into Effect On January 1st](#)

December 28: [California Expands Outdoor Access Across the State](#)

December 28: [Here's What California Accomplished in 2023](#)

December 22: [Supporting Access to Healthy Foods and Resilient Food Systems](#)

December 22: [Making San Francisco Safer: State Seizes Over 9 Million Lethal Doses of Fentanyl in 2023](#)

December 21: [California Awards \\$150 Million to Support Mental Health Programs for Youth and Young Adults](#)

3. Washington DC Legislative Report

Prepared by Townsend Public Affairs, Inc.

Legislative Branch Activity

Fiscal Year 2024 government funding status

When Congress departed the Capitol for their holiday recess without an agreement on government funding levels they ensured that January would be a pivotal month for the federal government spending fight. On November 14, Congress passed a stopgap funding bill to temporarily stave off a government shutdown. In a unique approach, the legislation extended agency funding for different lengths of time. The Departments of Agriculture, Transportation, Housing and Urban Development, and Veterans Affairs are funded through January 19, 2024, while the remaining agencies are extended through February 2, 2024. The goal in this approach was to buy additional negotiating time for Speaker Mike Johnson to reach consensus on topline spending.

As of this week there is no agreement on topline funding numbers between the House and Senate. Lawmakers return on January 9, leaving just 10 days to resolve their differences ahead of the first funding deadline.

County Relevance:

- The lack of a topline funding agreement increases the chances of a partial government shutdown on January 19.
- A government shutdown would disrupt federal government services county residents rely on.
- Because of a provision in the Fiscal Responsibility Act of 2023, if Congress continues to fund the government under a continuing resolution, a 1 percent cut of all discretionary funding programs will be triggered later this year, leading to decreased funding for county programs supported by federal funds.

Ukraine aid/border security funding

Congress continued work this week on a combined border security and foreign aid package. On December 6 a supplemental spending package to provide aid to Ukraine failed to advance in the Senate as Minority Leader Mitch McConnell stated Republicans would not consider additional Ukraine aid unless issues at the border were addressed.

Lead border policy negotiators from the Senate and White House resumed discussions this week as dozens of House Republicans visited the U.S.-Mexico border. There is agreement on certain topics such as asylum standards, but disagreements persist on interior enforcement, expulsion authorities, and parole.

Although border talks are progressing, it remains unclear whether consensus can be reached. Speaker Johnson and House Republicans remain committed only to policies passed within the House-passed H.R. 2 and have so far rejected proposed compromises by the White House.

County Relevance:

- Changes to immigration law could cause changes to demand for related county services.

Relevant Legislation

[H.R. 3396 - Fire Department Repayment Act](#), introduced by Representative Josh Harder (CA-09), addresses fire department repayment systems and ensures they are quickly compensated for fighting fires on federal lands. Due to firefighter shortages, local fire departments are often tasked with responding to fires on nearby federal land which leads to increased expenditures. This legislation would implement several policies to ensure agreements entered with the US Forest Service are honored and completed in a timely manner.

The bill passed the House Natural Resources Committee on December 6 and awaits consideration by the full House.

County Relevance:

- Orange County delegation member Rep. Mike Levin is a cosponsor of the legislation.
- Orange County fire fighting agencies would need to ensure compliance with required standard operating procedures for reciprocal fire suppression cost share agreements required by the proposed legislation.

Executive Branch Activity

EPA announces \$600 million to fund environmental justice projects

In late December, 11 entities were awarded \$600 million to issue thousands of environmental justice grants over the next three years under the EPA's Environmental Justice Thriving Communities Grantmaking program. The program aims to make it easier for small community-based organizations to access federal environmental justice funding. The Grantmakers will partner with EPA's Office of Environmental Justice and External Civil Rights to issue subgrants to nonprofits and other eligible organizations. Two California awardees were the Climate Justice Alliance, and the Social and Environmental Entrepreneurs (SEE).

These entities will work in collaboration with EPA's Office of Environmental Justice and External Civil Rights to issue subgrants to community-based nonprofit organizations and other eligible organizations representing disadvantaged communities. The 11 awardees will design comprehensive application and submission processes, award environmental justice subgrants, implement tracking and reporting systems, and provide resources and support to communities. The subgrants are expected to become available by summer of 2024.

County Relevance:

- Two California environmental protection groups will be assisting in implementation of these environmental justice grants. Orange County and environmental justice organizations within the County can apply and receive federal dollars for new environment projects.

White House announces Safer States Initiative

In September 2023, President Biden established the White House Office of Gun Violence Prevention, overseen by Vice President Kamala Harris. The Office was tasked with enhancing the federal government's partnerships with cities and states, to help them advance their own efforts to reduce gun violence. As a result of the Office's efforts, Vice President Kamala Harris launched the [Safer States Initiative](#) in mid-December to provide states with additional support to decrease gun violence.

The initiative outlines key recommended actions for states, which include:

- Establishing a State Office of Gun Violence Prevention;

- Investing in evidence-informed solutions to prevent and respond to gun violence, including community violence interventions, Crime Gun Intelligence Centers, and implementation of Extreme Risk Protection Orders;
- Strengthening support for survivors and victims of gun violence;
- Reinforcing responsible gun ownership, including by requiring safe storage of firearms and reporting of lost and stolen firearms;
- Strengthening gun background checks, including by enacting universal background checks legislation and removing barriers to completing enhanced background checks; and
- Holding the gun industry accountable, including by banning assault weapons and high-capacity magazines and enacting firearm-specific liability laws to ensure that victims of gun violence have their day in court.

County Relevance:

- Attention from the White House on the issue of gun violence brings high level attention to this issue impacting Orange County.

HUD releases Part 1 of Homeless Assessment Report

The U.S. Department of Housing and Urban Development released Part 1 of the [2023 Annual Homeless Assessment Report in December](#). The report is an annual snapshot of the number of individuals in shelters, temporary housing, and in unsheltered settings. A key finding was a 12% annual increase in people experiencing homelessness.. HUD attributes the steep increase in homelessness to a number of factors, including the end of many pandemic response programs, changes in the rental housing market, and an increase in people experiencing homelessness for the first time.

The report also includes the Housing Inventory Count of shelter and housing resources to serve people experiencing homelessness. Recently, [HUD announced](#) that it has helped more than 424,000 households access support services, exit homelessness, or avoid homelessness in 2023.

County Relevance:

- The homelessness report provides critical information to guide Orange County officials address homelessness.

Legislation introduced by Orange County Delegation

Rep. Katie Porter

- [H.R. 6871 Hydrogen for Trucks Act](#) would require the Department of Energy to establish a hydrogen fuel grant program
- [H.R. 6872 Hydrogen for Ports Act](#) would require the Department of Energy to establish a hydrogen fuel grant program to support hydrogen-fueled equipment at ports
- [H.R. 6894](#) which would amend the Federal Election Campaign Act of 1971 to prohibit the misrepresentation of action on behalf of candidates, parties, PACS etc..
- [H.R. 6893](#) which would further regulate disbursement of funds to entities owned by campaign executives
- [H.R. 6842](#) would amend the STOCK Act in an effort to strengthen prohibitions on financial conflicts of interest in all three branches of government. The bill would require federal

government officials to report federal benefits, would increase penalties for failing to file STOCK act transaction reports, and would prohibit Members of Congress from owning individual stocks.

- [H.R. 6765](#) would create a coordinated domestic wildlife disease surveillance framework for State, Tribal, and local governments to prevent future wildlife disease outbreaks

Rep. Mike Levin

- [H.R. 6841](#) Resilient Coasts and Estuaries Act would reauthorize and revitalize the Coastal and Estuarine Land Conservation Program (CELCP) and require the National Oceanic and Atmospheric Administration (NOAA) to designate five new National Estuarine Research Reserves in the next five years.

If you or your staff have any questions or require additional information on any of the items in this bulletin, please contact Peter DeMarco at 714-834-5777.