



# Legislative Bulletin

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*A Publication of the County Executive Office/Legislative Affairs*

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December 16, 2025  
Item No. 22

## 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 agendaized 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 2025-2026 Legislative Platform was adopted by the Board of Supervisors on November 19, 2024.

On December 16, 2025, the Board of Supervisors will consider the following actions:

### **RECOMMENDED ACTIONS**

1. **Direct CEO Legislative Affairs to add a new Policy Statement to the County's 2025-26 Legislative Platform on Murphy Conservatorship Reform. *Approved as recommended.***
2. **Direct CEO Legislative Affairs to continue working with state and local stakeholders to identify a solution to the Murphy Conservatorships issue, including any required statutory changes, and to provide the Board with regular status updates. *Approved as recommended.***
3. **DEFER TO THE BOARD – H.R.2862 (Levin): Southern California Coast and Ocean Protection Act. *Motion to support failed.***
4. **Consider 2026 County-Sponsored Legislative Proposal(s) and provide direction on which proposal(s) to designate as County-Sponsored Legislation. *Approved designation of all attachments as County-Sponsored Legislative Proposals.***
  - **CalOptima Alternate Board Members (Attachment A)**
  - **Joint Legislative Audit Committee (JLAC) Request on Funding Equity (Attachment B)**
  - **Regional Housing Needs Allocation (RHNA) Credits for Small-Scale Housing (Attachment C)**
  - **Trap-Neuter-Return (TNR) Authorization (Attachment D)**
  - **CalOptima Board of Directors (Attachment E)**

- Elections Administration (Attachment F)
- Jury Commissioner Information Sharing (Attachment G)
- Veterans Warm Handoff (Attachment H)
- Nitrous Oxide (NOx) Sales Ban (Attachment I)
- Homekey+ Project Completion Period Extension (Attachment J)
- Landfill Methane Monitoring Technology Modernization (Attachment K)

5. Direct CEO Legislative Affairs to work with the Orange County legislative delegation to author any Board-approved legislative proposal(s). *Approved as recommended.*
6. Receive and File Legislative Bulletin *Approved as recommended.*

### **INFORMATIONAL ITEMS**

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

## RECOMMENDED ACTIONS

1. **Direct CEO Legislative Affairs to add a new Policy Statement to the County's 2025-26 Legislative Platform on Murphy Conservatorship Reform.**
2. **Direct CEO Legislative Affairs to continue working with state and local stakeholders to identify a solution to the Murphy Conservatorships issue, including any required statutory changes, and to provide the Board with regular status updates.**

### SUMMARY:

Murphy Conservatorships are an involuntary mental health conservatorship for people charged with a felony who are incompetent to stand trial and are considered a danger to others. Over the past decade, criminal referrals and Murphy Conservatorships have grown exponentially, as much as 400%, just within Orange County.

The challenge for the County is that the ability to place these Murphy clients is extremely limited. A long-standing shortage of appropriate treatment beds has been exacerbated by a recent court case, *In re Lerke*, which makes it harder for conservatees to remain in temporary protective custody while placements are located.

CEO, the Health Care Agency's Public Guardian, and County Counsel have been working diligently for a resolution as it relates to this matter. Adding this Policy Statement to the County's Legislative Platform recognizes the urgency of the problem and will provide clear direction to the CEO and the County's legislative advocates to continue engaging on this vital issue.

### SUGGESTED POLICY STATEMENT:

*CS-33.5: Murphy Conservatorship Reform: Support short- and long-term efforts to address the rise in Murphy Conservatorships, including through the creation of additional facilities, beds, and placement types, and support ongoing funding, flexible timelines, local discretion, and resources needed to effectively meet both treatment and public safety needs.*

3. DEFER TO THE BOARD – H.R.2862 (Levin): Southern California Coast and Ocean Protection Act.

**CEO/Office of Legislative Affairs**  
**Bill Analysis**



<b>BILL NUMBER:</b>	H.R.2862	<b>INTRODUCED/AMENDED DATE:</b>	April 10, 2025
<b>AUTHOR:</b>	Representative Mike Levin (D-CA) Co-Sponsors: Representatives Dave Min (D-CA), Derek Tran (D-CA)		
<b>SUBJECT:</b>	Southern California Coast and Ocean Protection Act		
<b>BILL SPONSOR:</b>	N/A		
<b>STATUS:</b>	Referred to the House Committee on Natural Resources		
<b>REQUESTING DEPARTMENT/AGENCY:</b>	Vice Chair, Fifth District Supervisor Katrina Foley		
<b>REQUESTING DEPARTMENT/AGENCY RECOMMENDED POSITION:</b>	SUPPORT		
<b>CEO-LA RECOMMENDED POSITION:</b>	Defer to the Board of Supervisors		
<b><u>Current Law:</u></b>	The Outer Continental Shelf (OCS) Lands Act, created on August 7, 1953, defines the OCS as all submerged lands lying seaward of state coastal waters (3 miles offshore) which are under U.S. jurisdiction. Under the OCS Lands Act, the Secretary of the Interior is responsible for the administration of mineral exploration and development of the OCS. The Act empowers the Secretary to grant leases to the highest qualified responsible bidder on the basis of sealed competitive bids and to formulate regulations as necessary to carry out the provisions of the Act. The Act, as amended, provides guidelines for implementing an OCS oil and gas exploration and development program.		
<b><u>Proposed Law:</u></b>	This legislation would amend the OCS Lands Act to prohibit the exploration, development, or production of oil or natural gas, or oil and gas leasing, in the Southern California Planning Area.		
<b><u>Vote Threshold:</u></b>	Majority		

<p><b><u>Support and Opposition:</u></b></p>	<p>Supporters:</p> <ul style="list-style-type: none"> <li>• Natural Resources Defense Council</li> <li>• Earthjustice</li> <li>• Oceana</li> <li>• Sierra Club</li> <li>• Surfrider Foundation</li> <li>• League of Conservation Voters</li> <li>• Futureswell</li> <li>• Ocean Conservancy</li> <li>• Environment America</li> <li>• WILDCOAST</li> <li>• Surf Industry Members Association</li> <li>• Food &amp; Water Watch</li> <li>• Peace Boat US</li> <li>• Defenders of Wildlife</li> <li>• Ocean Defense Initiative</li> <li>• Center for Biological Diversity</li> <li>• The Ocean Project</li> <li>• Business Alliance to Protect the Pacific Coast</li> <li>• Animal Welfare Institute</li> <li>• U.S. Climate Action Network</li> <li>• American Bird Conservancy</li> <li>• Hispanic Access Foundation</li> </ul>
<p><b><u>Background:</u></b></p>	<p>California has maintained a moratorium on new offshore drilling in state waters since 1969. Since 1984, no new offshore oil drilling has been approved in federal waters off California. In the past decade, California passed laws barring the construction of pipelines, piers, wharves or other infrastructure necessary to transport oil and gas from federal waters to state land. Recent oil spills from existing oil and gas operations off the coast have affected the County and its residents, including the pipeline leak off the coast of Huntington Beach in October 2021.</p> <p>After the Santa Barbara Oil Spill in 1969, Congress passed several acts which spurred the development of oil spill regulation and research. They included the National Environmental Policy Act, which mandates a detailed environmental review before any major or controversial federal action, the Clean Air Act, which regulates the emission of air pollutants from industrial activities, and the Coastal Zone Management Act, which requires state review of federal action that would affect land and water use of the coastal zone. In 1977, the Clean Water Act passed. The Act regulates the discharge of pollutants into surface waters.</p> <p>Under Section 18 of the OCS Lands Act, the Secretary of the Interior through the Bureau of Ocean Energy Management (BOEM) is responsible for approving a schedule of OCS oil and gas lease sales for a five-year period.</p> <p>The 2024-2029 five-year program did not have any scheduled future leases within the Southern California Planning Area. In November 2025, the federal government published the first analysis and proposal for a proposed 2026-2031 five-year program which includes three potential lease sales within the Southern California Planning Area. BOEM will</p>

	perform two additional analyses and publish two additional proposed programs before program approval can take place.
<p><b><u>Department Comments, Impact on Area(s) of Responsibility:</u></b></p>	<p>OC Public Works (OCPW) reports that the legislation is unlikely to impact any OCPW programs directly. It may benefit OCPW indirectly by reducing the potential for impacts to OCPW facilities from offshore oil spills.</p> <p>OC Parks reports that there are no oil or gas facilities on Parks facilities or tidelands, and there are no direct impacts to Parks.</p>
<p><b><u>Policy Platform References:</u></b></p>	<p>IN-4: Beach Preservation &amp; Coastal Funding: <i>“The County supports:</i></p> <ul style="list-style-type: none"> <li>• <i>Funding and efforts for coastal resiliency research, planning, jurisdictional coordination, engineering, design, streamlined permitting, and implementation, beach and sand nourishment, coastal erosion control, and shoreline and beach preservation.</i></li> <li>• <i>Dedicated and predictable funding for coastal flood risk and storm damage reduction projects.</i></li> <li>• <i>Sharing of federal outer continental shelf revenues with coastal states to support conservation, coastal infrastructure resiliency and wildlife protection programs.”</i></li> </ul>

**4. Consider 2026 County-Sponsored Legislative Proposal(s) and provide direction on which proposal(s) to designate as County-Sponsored Legislation. (Attachments A-K)**

SUMMARY:

In August, CEO-LA met with county departments to solicit proposals for County-sponsored legislation for the second year of the 2025-2026 Legislative Session. Departments were asked to consider the operational or fiscal impacts of a potential bill, determine whether immediate legislative action is required, and identify the nexus to the Board's legislative priorities and/or the Legislative Platform.

In September, CEO-LA met with each Board office to discuss potential Board-requested legislative proposals. Following these meetings, CEO-LA researched and drafted ten Board-requested state legislative proposals and one Department-requested state legislative proposal for your consideration. Proposals approved by your Board will officially be designated as an "Orange County-Sponsored Bill" and CEO-LA will work with Precision Advocacy to identify a member(s) of the Orange County legislative delegation to author the proposal(s). The proposed 2026 County-sponsored legislative proposals are listed below, and write-ups can be found in Attachments A-K.

BACKGROUND:

CEO-LA is bringing these legislative proposals before the Board now to provide ample time to secure delegation authors for legislation before the Legislature reconvenes on January 5<sup>th</sup>. Delegation authors are required to submit bill language to Legislative Counsel by January 23<sup>rd</sup>, ahead of the final deadline to introduce bills on February 20<sup>th</sup>.

2026 COUNTY LEGISLATIVE PROPOSALS:

- *CalOptima Alternate Board Members* (Attachment A) – Allow alternate members of the CalOptima Board of Directors to have access to confidential information, such as items discussed in closed session.
- *Joint Legislative Audit Committee (JLAC) Request on Funding Equity* (Attachment B) - Secure approval for a JLAC audit to assess the County's fiscal capacity to fulfill both state-mandated obligations and crucial local responsibilities, while receiving comparatively lower funding than other large counties. The objective of the audit is to identify and propose solutions for any financial inequities discovered during the examination.
- *Regional Housing Needs Allocation (RHNA) Credits for Small-Scale Housing* (Attachment C) – Ensure local jurisdictions subject to the RHNA process are allowed to receive RHNA credits for all small-scale housing units.
- *Trap-Neuter-Return (TNR) Authorization* (Attachment D) – Authorize a carve out for county and city animal shelters within existing law, clarifying these public agencies

may support TNR programs for felines in their jurisdictions without violating existing animal abandonment statutes.

- *CalOptima Board of Directors* (Attachment E) – Stagger the terms of the seven members of the CalOptima Board of Directors who serve four-year terms to ensure that no more than four board members' terms expire simultaneously.
  - *Elections Administration* (Attachment F) - Align the standards for first-time voters in federal and non-federal elections to remove a discrepancy in current requirements, which require voter identification for certain first-time voters in a federal election but not in a non-federal election.
  - *Jury Commissioner Information Sharing* (Attachment G) – Require jury commissioners to provide the Secretary of State with data regarding registered voters who report on jury questionnaires a lack of qualification for jury service due to reasons that could concurrently impact their eligibility to vote.
  - *Veterans Warm Handoff* (Attachment H) – Establish a comprehensive "warm handoff" program designed to improve the reintegration process for service members transitioning from military to civilian life. This proposal aims to strengthen coordination between military discharge points and state and local providers, ensuring earlier connection to available resources and enhanced support.
  - *Nitrous Oxide (NOx) Sales Ban* (Attachment I) – Fully ban the sale of NOx, except for limited authorized retailers for legitimate culinary and medical purposes.
  - *Homekey+ Project Completion Period Extension* (Attachment J) - Under future Homekey+ rounds, allow longer completion periods for projects involving major demolition and rebuild, which are currently limited to twelve months, to expand eligibility to additional housing projects.
  - *Landfill Methane Monitoring Technology Modernization* (Attachment K) – Allow the use of alternative methane monitoring technologies, including methane detecting drones and other remote sensing systems, to satisfy compliance obligations, and establish performance-based criteria for the use of these advanced emissions monitoring technologies.
- 5. Direct CEO Legislative Affairs to work with the Orange County legislative delegation to author any Board-approved legislative proposal(s).**

Proposals approved by your Board will officially be designated as an "Orange County-Sponsored Bill" and CEO-LA will work with Precision Advocacy to identify a member(s) of the Orange County legislative delegation to author the proposal(s).

## INFORMATIONAL ITEMS

### 1. County Position Matrix: CEO-LA

The tables below list the bills the Board of Supervisors has taken positions on in the 2025-26 legislative session.

State Legislation

*As of Thursday, December 11, 2025*


<b>Bill No.</b>	<b>Author</b>	<b>Subject</b>	<b>Position</b>	<b>Date of Board Action</b>	<b>Status</b>
<b><u>AB 28</u></b>	<u>Schiavo</u>	Solid Waste Landfills: subsurface temperatures.	<b>Oppose</b>	6.24.25	2-Year Bill
<b><u>AB 70</u></b>	<u>Aguiar-Curry</u>	Solid Waste: Organic Waste Diversion: Biomethane.	<b>Support</b>	6.24.25	Chaptered
<b><u>AB 81</u></b>	<u>Ta</u>	Veterans: Mental Health	<b>Support</b>	3.25.25	Vetoed
<b><u>AB 91</u></b>	<u>Harabedian</u>	State and local agencies: demographic data	<b>Support</b>	4.22.25	Chaptered
<b><u>AB 226</u></b>	<u>Calderon</u>	California FAIR Plan Association	<b>Support</b>	4.08.25	Chaptered
<b><u>AB 282</u></b>	<u>Pellerin</u>	Discrimination: housing: source of income.	<b>Support</b>	5.06.25	2-Year Bill
<b><u>AB 283</u></b>	<u>Haney</u>	In-Home Supportive Services Employer-Employee Relations Act	<b>Support if amended</b>	8.26.25	2-Year Bill
<b><u>AB 339</u></b>	<u>Ortega</u>	Local public employee organizations: notice requirements	<b>Oppose</b>	4.22.25	Chaptered
<b><u>AB 349</u></b>	<u>Dixon</u>	Foster care supplement	<b>Support</b>	4.08.25	Chaptered
<b><u>AB 370</u></b>	<u>Carrillo</u>	California Public Records Act: cyberattacks	<b>Support</b>	4.22.25	Chaptered
<b><u>AB 394</u></b>	<u>Wilson</u>	Crimes: public transportation providers	<b>Support</b>	3.25.25	Chaptered
<b><u>AB 424</u></b>	<u>Davies</u>	Alcohol and other drug programs: complaints	<b>Support</b>	3.25.25	Chaptered
<b><u>AB 462</u></b>	<u>Lowenthal</u>	Land use: coastal development permits: accessory dwelling units	<b>Support</b>	4.08.25	Chaptered
<b><u>AB 492</u></b>	<u>Valencia</u>	Alcohol and drug programs: licensing	<b>Support</b>	3.25.25	Chaptered
<b><u>AB 571</u></b>	<u>Quirk-Silva</u>	California Environmental Quality Act: exemption: Gypsum Canyon Veterans Cemetery	<b>Co-Sponsor</b>	2.25.25	Chaptered
<b><u>AB 607</u></b>	<u>Rodriguez</u>	CalWORKs: Home Visiting Program.	<b>Support</b>	6.24.25	Chaptered
<b><u>AB 615</u></b>	<u>Davies</u>	Power facilities: emergency response and action plan	<b>Support</b>	3.25.25	Vetoed
<b><u>AB 689</u></b>	<u>Rubio</u>	Foster Youth: Disaster aid assistance.	<b>Support</b>	6.24.25	Vetoed
<b><u>AB 1288</u></b>	<u>Addis</u>	Registered environmental health specialists	<b>Support</b>	4.22.25	Chaptered
<b><u>AB 1356</u></b>	<u>Dixon</u>	Alcohol and other drug programs	<b>Support</b>	3.25.25	Chaptered
<b><u>AB 1387</u></b>	<u>Quirk-Silva</u>	Mental health multidisciplinary personnel team.	<b>Support</b>	5.06.25	Vetoed
<b><u>SB 71</u></b>	<u>Wiener</u>	California Environmental Quality Act: exemptions: transit projects	<b>Support</b>	3.25.25	Chaptered
<b><u>SB 283</u></b>	<u>Laird</u>	Energy storage systems	<b>Support</b>	4.08.25	Chaptered

<b>SB 346</b>	<u>Durazo</u>	Local Agencies: Transit Occupancy Taxes: Short-Term Rental Facilitator.	<b>Support</b>	6.24.25	Chaptered
<b>SB 577</b>	<u>Laird</u>	State Government	<b>Support</b>	8.26.25	2-Year Bill
<b>SB 634</b>	<u>Pérez</u>	Local government: homelessness	<b>Oppose</b>	5.06.25	Chaptered

Federal Legislation

*As of Thursday, December 11, 2025*

Bill No.	Author	Subject	Position	Date of Board Action	Status
<b><u>H.R. 965</u></b>	<u>Sherman</u>	Housing Unhoused Disabled Veterans Act	<b>Support</b>	5.20.25	Senate Committee on Banking, Housing, and Urban Affairs
<b><u>H.R. 1012</u></b>	<u>Levin</u>	Spent Fuel Prioritization Act of 2025	<b>Support</b>	5.20.25	House Committee on Energy and Commerce
<b><u>H.R. 2483</u></b>	<u>Guthrie</u>	SUPPORT for Patients and Communities Reauthorization Act of 2025	<b>Support</b>	6.24.25	<b>Became Law</b>
<b><u>S. 1462</u></b>	<u>Curtis</u>	Fix Our Forests Act	<b>Support</b>	9.23.25	Senate Committee on Agriculture, Nutrition, and Forestry
<b><u>S. 2212</u></b>	<u>Padilla</u>	Visible Identification Standards for Immigration-Based Law Enforcement (VISIBLE) Act of 2025	<b>Support</b>	8.26.25	Senate Committee on the Judiciary

 Highlighted sections symbolize a status change.

## 2. Sacramento Legislative Report

*Prepared by Precision Advocacy Group LLC*

### Withdrawal of FY2025 Continuum of Care Program Notice of Funding Opportunity (CoC NOFO)

The U.S. Department of Housing and Urban Development (HUD) withdrew a controversial funding notice on Monday that proposed significant changes to federal homelessness policy. The notice would have drastically reduced the portion of funding local governments could allocate to permanent housing. Previous administrations had prioritized permanent housing as the primary solution to homelessness, but the current administration shifted focus toward temporary shelters, especially those mandating sobriety.

The federal housing department is facing two separate lawsuits from Governor Gavin Newsom's administration, along with Santa Clara County and San Francisco. The lawsuits allege that the department illegally bypassed Congress when implementing changes. Federal lawyers acknowledged the concerns raised by the plaintiffs in their court filing, stating that the administration withdrew the funding notice to "assess the issues raised by plaintiffs" and prepare a new notice.

Despite the apparent federal policy reversal, the National Alliance to End Homelessness, a plaintiff in one of the lawsuits, cautioned that the withdrawal of the NOFO would "necessarily mean even further delays and greater uncertainty for communities across the country." The organization plans to continue with their lawsuit. Their [lawsuit](#), filed in conjunction with Santa Clara County, asks the court to require HUD to process eligible grant renewals of FY 2025 funding under the FY24-25 NOFO.

The now withdrawn 2025 NOFO would have capped spending by CoCs at 30% for permanent supportive housing and rapid rehousing. Last year, California CoCs were awarded more than \$683 million in CoC funding, approximately 90% of which went to permanent housing projects. The now withdrawn policy was a major reversal from years of federal policy that prioritized funding permanent housing using the "housing first" method — a strategy that moves people into housing as quickly as possible, without requiring them to first get sober or agree to addiction treatment.

The 2025 NOFO is now paused for an unknown amount of time, and we will continue to provide updates on this rapidly evolving situation.

### Legislative Analyst's Office: Overview of New Updates to the Cap-and-Invest Program

This week, the Legislative Analyst's Office (LAO) released a [report](#) detailing updates to the Cap-and-Invest (formerly Cap-and-Trade) program, along with information on the latest [auction results](#).

The Cap-and-Invest program is a critical funding source for various state appropriations, including the Affordable Housing and Sustainable Communities Program, the Transit and Intercity Rail Capital Program, the Community Air Protection Program, wildfire and forest resilience, and the Safe and Affordable Drinking Water Program, among others.

A decline in auction revenue is significant because it may require the state to tap into other funds to cover the shortfall, impacting the budget as a whole.

**Auction.** The November 2025 Cap-and-Invest auction generated \$844 million for the Greenhouse Gas Reduction Fund (GGRF), similar to the August 2025 auction. This is slightly below the \$870 million quarterly amount assumed in the 2025-26 Budget Act, suggesting a potential annual shortfall of about \$100 million and minor midyear adjustments to discretionary programs may be needed.

Starting in 2026-27, the allocation of GGRF revenues will change based on [SB 840](#), requiring an estimated \$4.3 billion annually to fully fund all statutory allocations. Recent legislation also expressed

intent to use up to an additional \$1.5 billion of discretionary GGRF for other activities, including up to \$1.25 billion for CalFire if there's a General Fund deficit.

If the revenue trend from the last two auctions continues, the GGRF could generate about \$4 billion in 2026-27 (including interest income). This would be insufficient to cover the \$4.3 billion in statutory allocations and the additional \$1.5 billion in legislative intent, creating a potential funding gap exceeding \$1.8 billion. This shortfall would necessitate difficult budget decisions and could impact General Fund savings related to CalFire costs. Close monitoring of future auction results is crucial before finalizing 2026-27 GGRF expenditure decisions.

**Background.** The legislature established the Cap-and-Invest program in 2012 to help meet statewide greenhouse gas (GHG) emission reduction goals for 2020, 2030, and 2045. This market-based mechanism, authorized by AB 32 (2006), limits the total emissions (cap) from large emitters, which account for about three-quarters of the state's GHGs, including refineries and power facilities. Covered entities comply by reducing emissions, obtaining allowances (permits to emit one ton of CO<sub>2</sub> equivalent), or purchasing offsets (funding outside reduction projects).

The program was initially extended through 2030 by AB 398 (2017), which provided some specific design guidance while granting the California Air Resources Board (CARB) broad authority over allowance numbers and price ceilings.

In May 2025, Governor Gavin Newsom proposed budget trailer legislation to extend the program largely "as is" through 2045. However, the legislature deferred action to the policy process and, in September 2025, adopted two modified policy bills instead: AB 1207, which implemented changes to the program itself and allowance allocation, and SB 840, which focused on modifications to the associated GGRF revenues.

## Key Components of the Legislation

### Program Design and Allowance Allocations

- Extends and Renames Program: AB 1207 extends the program through 2045 and renames it Cap-and-Invest.
- Offset Handling: Both bills modify how offsets are handled; AB 1207 places them "under the cap," meaning an allowance is removed for each offset used. SB 840 requires CARB to update offset protocols by 2029.
- Utility Allowances: AB 1207 shifts free allowances from natural gas utilities to electric utilities by 2031 and mandates the California Climate Credit be provided to residential electric customers up to four times annually.
- Industry Allowances: Starting in 2031, AB 1207 changes the allocation method to reduce allowances for industries deemed at lower risk of leakage, replacing the prior assumption of highest leakage for all.
- Price Ceiling: AB 1207 directs proceeds from price ceiling sales to a new Climate Mitigation Fund for rebates and requires CARB to consider modifying the price ceiling to protect consumers.

### Reporting, Evaluation, and Oversight

- New Oversight Entity: SB 840 expresses intent to create a Legislative Counsel Climate Bureau (Climate Bureau).
- Existing Oversight: AB 1207 extends the sunset dates for the Compliance Offset Protocol Task Force and the Independent Emissions Market Advisory Committee (IEMAC) to 2045 and makes IEMAC members subject to the Political Reform Act.
- LAO Reporting: AB 1207 extends the LAO's annual reporting requirement on GHG reduction targets to 2046.
- CARB Requirements: New requirements include adding a progress summary and recommendations to the Scoping Plan, evaluating the program's cost impacts, transmitting

economic analyses and major regulations to the Legislature, and making annual presentations on GGRF expenditures and new regulations.

#### GGRF Allocations

- **Statutory Allocations:** Starting in 2026-27, SB 840 replaces percentage allocations for high-speed rail, affordable housing, and rail programs with fixed annual amounts, eliminating the sunset for the Safe and Affordable Drinking Water Program. It maintains existing fixed funding for wildfire/forest resilience (removing its sunset), SRA fee backfill, and the manufacturing tax exemption (keeping their existing sunsets).
- **New Statutory Allocations:** SB 840 adds \$1 billion annually for future legislative appropriation, \$250 million annually for the Community Air Protection Program, and \$3 million annually for the contingent Climate Bureau.
- **Funding Priority:** SB 840 modifies the order of statutory GGRF allocations, prioritizing the SRA fee backfill, manufacturing tax exemption, and Climate Bureau first, followed by high-speed rail and the \$1 billion set aside.
- **Legislative Intent:** SB 840 expresses intent to direct specific percentages of future GGRF into new funds for clean transportation, housing, clean air/water, wildfire, agriculture, clean energy, and innovation, guided by multiyear spending plans.

#### Key Implications

- **GHG Reduction:** Placing offsets under the cap effectively lowers the emissions limit, strengthening the program environmentally.
- **Affordability:** Provisions have mixed effects; while some may mitigate costs (e.g., redirecting allowance sale proceeds for rebates), others (like putting offsets under the cap) are likely to increase allowance costs and consumer prices.
- **GGRF Allocations:** SB 840 modifies statutory GGRF allocations starting in 2026-27, changing to fixed amounts for existing programs, prioritizing certain funds earlier, and providing greater funding certainty for the High-Speed Rail Project. "Excess" revenues under high-revenue scenarios are freed up for other legislative priorities.

The program's ultimate effects on GHG reduction and affordability remain uncertain, heavily dependent on future CARB decisions regarding the price ceiling/floor, the number of allowances issued, and the allocation of allowances.

Important legislative decisions remain, including defining the scope of the new Climate Bureau and the annual allocation of discretionary GGRF funds.

According to the LAO, continued legislative oversight is crucial due to the program's high stakes for GHG reduction and affordability, the difficulty in meeting all goals, the importance of monitoring CARB's regulatory updates, and ensuring effective use of GGRF, especially for continuously appropriated funds. New oversight provisions, like the Climate Bureau and required CARB reporting, can help but their effectiveness depends on proactive implementation and legislative follow-up.

### Grant Opportunities

**Deadline:** 1/30/26 16:00

**Title:** [2025 Kitchen Infrastructure and Training and Retention and Recruitment Grant](#)

**State Agency / Department:** [CA Department of Education](#)

**Match Funding?** No

**Estimated Total Funding:** \$155,000,000

**Funding Method:** Advances & Reimbursement(s)

**Deadline:** 12/6/25 12:00

**Title:** [Illegal Disposal Site Abatement Grant Program](#)

**State Agency / Department:** [Department of Resources Recycling and Recovery](#)

**Match Funding?** No  
**Estimated Total Funding:** \$1,000,000  
**Funding Method:** Reimbursement(s)

**Deadline:** 12/6/25 12:00  
**Title:** [Legacy Disposal Site Abatement Grant Program](#)  
**State Agency / Department:** [Department of Resources Recycling and Recovery](#)  
**Match Funding?** 50%  
**Estimated Total Funding:** \$1,500,000  
**Funding Method:** Reimbursement(s)

**Deadline:** 1/5/26 17:00  
**Title:** [2026 Pet Lover's Spay and Neuter Grant Program](#)  
**State Agency / Department:** [CA Department of Food and Agriculture](#)  
**Match Funding?** No  
**Estimated Total Funding:** \$500,000  
**Funding Method:** Advances & Reimbursement(s)

## Governor's Press Releases

Below is a list of the governor's press releases beginning December 3.

**December 10:** [Cannabis crackdown: State officials seize 58,350 illegal cannabis plants worth \\$57 million in November](#)  
**December 10:** [Earthquake system shows that failure is Trump's default setting](#)  
**December 10:** [Federal Court to Trump: keeping a standing army is illegal, the federalization of California's National Guard must end](#)  
**December 9:** [Governor Newsom Proclaims State of Emergency in Mono County for Pack Fire](#)  
**December 9:** [Golden State at the Golden Globes, Film & Television Tax Credit awardees spotlight California's Star Power](#)  
**December 8:** [Governor Newsom announces \\$1.1B in zero-emission transit, safer roadways, and resilient infrastructure](#)  
**December 8:** [Governor Newsom's SAFE Task Force partners with Long Beach to address encampments](#)  
**December 8:** [Governor Newsom helps provide more than a thousand Californians with homes](#)  
**December 7:** [Governor Newsom proclaims Pearl Harbor Remembrance Day](#)  
**December 5:** [Newsom blasts CDC panel after vote to end universal newborn hepatitis B vaccinations](#)  
**December 5:** [Saluting a record year for CHP cadets, California's next generation of law enforcement officers](#)  
**December 5:** [Governor Newsom meets with congressional leaders to press for long-delayed LA wildfire aid](#)  
**December 5:** [Governor, First Partner statement on the passing of Frank Gehry](#)  
**December 4:** [Helping survivors and victims of Stockton mass shooting](#)  
**December 4:** [Los líderes militares de California y México se unen para reforzar la resiliencia ante desastres y la seguridad fronteriza](#)  
**December 4:** [California and Mexico military leaders partner to enhance disaster resiliency and border security](#)  
**December 4:** [Governor Newsom advocates for LA fire survivors in Washington, urges Trump to uphold his commitments to help LA](#)  
**December 3:** [Governor Newsom slams Trump's "Con Job" fuel economy standards proposal](#)  
**December 3:** [California announces new online portal to report misconduct by federal agents](#)

### 3. Washington, D.C. Legislative Report

*Prepared by Townsend Public Affairs*

#### LEGISLATIVE BRANCH ACTIVITY

##### Appropriations Minibus Changes, Slow Progress on FY26 Bills

House appropriators are looking to retake control of the process for Fiscal Year 2026 after a potential Senate minibuss of three to five bills stalled last week over policy objects from within the Republican conference. The continuing resolution that reopened the government contained only 3 of the 12 funding bills. The House minibuss being discussed would include the Transportation-HUD, Commerce-Justice-Science, and Interior funding bills, which contain the majority of community projects funding and Congressionally-directed spending requests, also known as earmarks.

House Appropriations Committee Chairman Tom Cole stated he would meet privately with his Senate counterpart, Senator Susan Collins, to discuss the potential deal. Appropriators in both chambers are hoping to “preconference” the bills, reconciling their differences before the package is introduced. The two chambers still disagree on topline funding numbers, the framework generally provided by both committee and chamber leadership that allows staff to work on drafting the bills. Drafting floor-ready appropriations bills generally takes six weeks from a topline agreement, leaving little time before the continuing resolution currently funding the government expires on January 30, 2026.

A number of senior appropriators [met](#) with White House Chief of Staff Susie Wiles on December 4 to discuss the ongoing process, which is required to be bipartisan as funding bills need 60 votes in the Senate to pass. Even if the larger minibuss in the Senate were to advance and pass the House, Congress would still have four more appropriations bills to pass before the January 30 deadline, increasing the chances of a second, partial, government shutdown.

##### House Passes FY26 Defense Bill with Drone Funding Boost for Orange County Law Enforcement

The U.S. House of Representatives has passed the Fiscal Year 2026 National Defense Authorization Act (NDAA) which included provisions aimed at boosting Orange County’s public safety landscape. The bill includes the bipartisan DRONE Act, sponsored by Representatives Lou Correa (D-CA) and Troy Nehls (R-TX), which empowers local law enforcement agencies to use Edward Byrne Memorial Justice Assistance and COPS grants to purchase and operate drones. This expansion in federal funding eligibility broadens critical capabilities such as bomb-squad missions, hazardous-materials response, traffic reconstruction, crime-scene documentation, and search-and-rescue operations that local sheriffs have long advocated for.

In a press release issued by Rep. Lou Correa Orange County Sheriff Don Barnes praised the provision as a “critical step,” underscoring how integrating drone technologies into local budgets enhances public safety and counters emerging threats. The NDAA now heads to the Senate where further action is anticipated before the end of next week.

##### House Passes Permitting Reform Bill Digitizing and Streamlining NEPA Reviews

On December 9, the House passed [HR 4503](#), the ePermit Act, on a bipartisan basis. The bill would digitize and streamline National Environmental Policy Act (NEPA) reviews for certain federally subsidized projects. The measure would require the Council on Environmental Quality (CEQ) to develop and implement software that would centralize data relevant to a project, allowing multiple agencies and offices to access it and avoid redundant work. The bill requires the CEQ to launch a pilot within one year of enactment and have a functional system implemented by December 2027.

Congress is also working to consider other permitting overhauls, including [HR 3898](#), the PERMIT Act, which would limit the scope of the Clean Water Act by creating exclusions for certain projects and waterways that could be considered “navigable” and making other changes to the definition of Waters of the United States (WOTUS). The Environmental Protection Agency recently released a [proposed rule](#) making additional modifications to WOTUS definitions. The House is also set to consider [HR 3668](#),

the Improving Interagency Coordination for Pipeline Reviews Act, which would centralize environmental review authority for interstate natural gas pipeline projects with the Federal Energy Regulatory Commission (FERC).

Furthermore, House Natural Resources Committee Chairman Westerman is [optimistic HR 4776](#), the SPEED Act, a bipartisan NEPA reform package that would notably create effective equivalency for CEQA and NEPA reviews, significantly reducing the permitting burden for California projects, will pass the House before the end of the year.

Controversies remain on permitting reform largely due to biases in energy and infrastructure types within the bills. Republicans seek to limit the benefits for wind and solar projects while Democrats argue the reforms should be largely agnostic to the project type.

## EXECUTIVE BRANCH ACTIVITY

### HUD Temporarily Revoked Updated Continuum of Care Application

On December 8, the Department of Housing and Urban Development (HUD) [revoked](#) the Fiscal Year (FY) 2025 Notice of Funding Opportunity ([NOFO](#)) for the Continuum of Care (CoC) program. The NOFO intentionally rebalanced the portfolio toward transitional housing and Supportive Services Only projects and conditioned a much larger share of funding on enforcement-oriented approaches.

The most consequential change was a 30% cap on the amount of annual renewal demand (ARD) funding available for permanent supportive housing (PSH). Previously, 90% of funding was allocated for PSH, and CoC's operating PSH programs in that 90% were classified as Tier 1 and considered part of the ARD, providing strong protection to existing projects. The NOFO was [challenged](#) by a number of states and HUD intends to release an updated version with "technical corrections." In their [filing](#) HUD noted the January 14 deadline will likely have to be changed, though did not guarantee it would be, in their [notice](#) they also stated they do not plan to renew existing projects and will continue to pursue the policy changes in the NOFO. Regardless of action on the new NOFO, rent payments for permanent supportive housing recipients awarded by prior NOFOs will likely lapse beginning in January.

In California, the updated NOFO was expected to create a \$500 million dollar deficit and effectively remove up to 80k recipients from the program. HUD CoC generally serves individuals with severe disabilities, mental illness, and chronic health conditions that rely on the CoC funding for housing. HUD CoC is generally designed to quickly rehouse homeless individuals, families, persons fleeing domestic violence, dating violence, sexual assault, and stalking, and youth while minimizing the trauma and dislocation caused by homelessness.

### Institute of Museum and Library Services Grants Reinstated by Federal Judge

On November 21, a District Court Judge [ruled](#) that Executive Order [14238](#), titled Continuing the Reduction of the Federal Bureaucracy, was at least in part unlawful. The EO mandated the Institute of Museum and Library Services (IMLS), United States Interagency Council on Homelessness, and Community Development Financial Institutions Fund among others reduce their operations to the statutory minimum and effectively close.

In response to the ruling, IMLS [announced](#) the reinstatement of previously terminated grants, which include \$160 million in formula funding for state library agencies to administer to locally, with a total of \$266 million in grants to both libraries and museums for research, exhibits, and policymaking. In FY25, IMLS underspent its Congressionally-appropriated funding by roughly \$85 million, and the Government Accountability Office, a legislative branch watchdog, [found](#) the reduced IMLS in violation of the [Impoundment Control Act](#), which generally requires the executive branch to obligate funds in accordance with appropriations bills passed by Congress.

## Orange County Delegation Press Releases

- Rep. Mike Levin – December 4, 2025: [Rep. Mike Levin Reintroduces Legislation to Lower Health Care Premiums for Households Enrolled in both Medicare and Affordable Care Act Plans](#)
- Rep. Lou Correa – December 10, 2025: [CORREA ANNOUNCES ADOPTION OF PRISONER OF CONSCIENCE, PRO-DEMOCRACY HUMAN RIGHTS DEFENDER IN VIETNAM](#)
- Rep. Lou Correa – December 10, 2025: [CORREA BIPARTISAN EFFORT TO PROVIDE FUNDING FOR LOCAL LAW ENFORCEMENT PASSES HOUSE, HEADS TO SENATE](#)
- Rep. Lou Correa – December 9, 2025: [CORREA, LAWLER UNVEIL ADA REFORM TO BOOST ACCESS AND PROTECT SMALL BUSINESSES](#)
- Rep. Lou Correa – December 4, 2025: [CORREA INTRODUCES RESOLUTION ENCOURAGING MANUFACTURERS TO DESIGN FOR RECYCLING TO REDUCE WASTE, CONSUMPTION](#)
- Rep. Dave Min – December 4, 2025: [Reps. Dave Min, Claudia Tenney and Sens. Jacky Rosen, Dave McCormick Introduce Bipartisan Legislation to Support Internet Freedom in Iran](#)
- Rep. Dave Min – December 4, 2025: [Min, Warren, Lawmakers Question Giant Corporations On Trump Ballroom Donations, Influence-Peddling with Trump Administration For Favors](#)
- Rep. Derek Tran – December 5, 2025: [Representative Tran, Lowering Costs Caucus Leaders Push Back on President Trump’s “Affordability Hoax” Comment](#)
- Rep. Linda Sanchez – December 8, 2025: [Sánchez: Trump’s \\$12 billion farmer bailout won’t fix his trade mistakes](#)
- Rep. Linda Sanchez – December 4, 2025: [Sánchez, LaHood introduce bill to modernize retirement savings rules for American workers](#)
- Sen. Alex Padilla – December 10, 2025: [WATCH: Padilla Calls on Republicans to Pass Democratic Proposal to Keep Health Care Costs From Skyrocketing for Millions of Americans](#)
- Sen. Alex Padilla – December 9, 2025: [WATCH: Padilla Condemns Trump DHS’ Unconstitutional Arrests of U.S. Citizens](#)
- Sen. Alex Padilla – December 9, 2025: [WATCH: Padilla Pushes for Passage of Bipartisan Bill to Compensate Artists for Radio Broadcasts](#)
- Sen. Alex Padilla – December 9, 2025: [Padilla Urges Special Counsel to Complete Hatch Act Investigation Into Trump Administration’s Partisan Redistricting Push](#)
- Sen. Alex Padilla – December 5, 2025: [Padilla, Lummis, Wyden, Sheehy Introduce Bipartisan Bill to Extend Tax Relief for Wildfire Victims](#)
- Sen. Alex Padilla – December 4, 2025: [Padilla, Schiff, Colleagues Call on McMahon to Reverse Illegal Moves to Dismantle the Department of Education](#)
- Sen. Alex Padilla – December 4, 2025: [Padilla, Huffman Lead California Lawmakers in Condemning Trump’s Plan to Allow Oil Drilling Along California’s Pristine Coastline](#)
- Sen. Alex Padilla – December 4, 2025: [WATCH: Padilla Joins Durbin to Introduce the Dream Act to Provide Permanent Protections for Dreamers](#)
- Sen. Adam Schiff – December 10, 2025: [WATCH: Sen. Schiff Marks One Year in U.S. Senate in Maiden Speech, Highlights Record of Fighting and Delivering for All Californians](#)
- Sen. Adam Schiff – December 10, 2025: [ICYMI: Sen. Schiff Unveils Legislation to Spur New Housing Boom, Tours Affordable Housing Complexes](#)
- Sen. Adam Schiff – December 9, 2025: [WATCH: Sen. Schiff Leads Hearing on Addressing Inequity in Music Royalties, Calls Out Trump Administration’s Reported Plans to Target California and Other States with AI Guardrails](#)

- Sen. Adam Schiff – December 7, 2025: [WATCH: Sen. Schiff Calls for Hegseth’s Resignation, Demands Accountability for Caribbean Boat Strikes on NBC’s Meet the Press](#)
- Sen. Adam Schiff – December 5, 2025: [STATEMENT: Sen. Schiff Statement on Netflix’s Proposed Merger with Warner Bros. Discovery](#)
- Sen. Adam Schiff – December 5, 2025: [NEWS: Sen. Schiff Unveils Landmark Legislation to Spur New Housing Boom, Address Housing Crisis](#)
- Sen. Adam Schiff – December 5, 2025: [NEWS: Schiff Joins Welch on Resolution Condemning Trump’s Pardon of Ex-Honduran President and Drug Kingpin Juan Orlando Hernández](#)
- Sen. Adam Schiff – December 4, 2025: [NEWS: Schiff, Padilla, Colleagues Call on McMahon to Reverse Illegal Moves to Dismantle the Department of Education](#)
- Sen. Adam Schiff – December 4, 2025: [NEWS: Sen. Schiff Joins Sen. Husted to Introduce Bill to Streamline Water Projects and Support Rural Communities](#)

### Legislation Introduced by the Orange County Delegation

Bill Number	Bill Title	Introduction Date	Sponsor	Bill Description	Latest Major Action
H.R.6527	No Short Title Available.	12/09/25	Rep. Young Kim (R-CA-40)	To provide compensation for United States victims of Libyan State-sponsored terrorism, and for other purposes.	Referred to the House Committee on Foreign Affairs., 12/08/25
H.R.6455	Health Insurance Premium Fairness Act	12/04/25	Rep. Mike Levin (D-CA-49)	To amend the Internal Revenue Code of 1986 to take certain Medicare premiums of household members into account in determining the health care insurance premiums tax credit.	Referred to the House Committee on Ways and Means., 12/03/25
H.R.6469	Feasibility Review of Emerging Equipment for Digital Open Media (FREEDOM) Act	12/04/25	Rep. Dave Min (D-CA-47)	To require a report on internet freedom in Iran.	Referred to the House Committee on Foreign Affairs., 12/03/25

H.RES.927	No Short Title Available.	12/04/25	Rep. Lou Correa (D-CA-46)	Declaring support by the House of Representatives for Design for Recycling (DFR) initiatives that limit all types of waste by encouraging manufacturers to design their products to have the maximum number of recyclable components.	Referred to the House Committee on Energy and Commerce., 12/03/25
S.3372	Protect Innocent Victims of Taxation After Fire Extension Act	12/04/25	Sen. Alex Padilla (D-CA)	A bill to amend the Internal Revenue Code of 1986 to exclude qualified wildfire relief payments from gross income, and for other purposes.	Read twice and referred to the Committee on Finance. (Sponsor introductory remarks on measure: CR S8514), 12/03/25

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.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Janet Nguyen, First District

SUBJECT: CalOptima Alternate Board Members

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Allow alternate members of the CalOptima Board of Directors to have access to confidential information, such as items discussed in closed session.

**PROBLEM:** Under the current structure, two members of the CalOptima Board of Directors must also be members of the Board of Supervisors, with one additional member of the Board of Supervisors serving as an alternate. Currently, the alternate member does not have access to confidential information which may be necessary to perform their role.

**BACKGROUND:** Governance of CalOptima is vested in a governing body consisting of ten members, of whom nine are voting members and one is a nonvoting member. Two of the voting members are also on the County Board of Supervisors, and there is an additional member from the Board of Supervisors who serves as the alternate for those two. These members serve a one-year term.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- **Guiding Principle - Efficient Service Delivery:**
  - The County supports legislation and budget actions that encourage new technology and innovation to streamline the delivery of services.
  - The County supports legislation and budget actions that reduce access barriers, increase efficiency, and expand equity of public programs.
  - The County supports efforts to reduce maintenance of effort cost requirements, and reasonable administrative or regulatory oversight.
- **CS-39: Public Health & Wellness:** Support measures that protect the public against disease and disability and promote health.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Janet Nguyen, First District

SUBJECT: Joint Legislative Audit Committee (JLAC) Request on Funding Equity

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Secure approval for a JLAC audit to assess the County's fiscal capacity to fulfill both state-mandated obligations and crucial local responsibilities, while receiving comparatively lower funding than other large counties. The objective of the audit will be to identify and propose solutions for any financial inequities discovered during the examination.

**PROBLEM:** In recent years, legislative changes have shifted more responsibilities to the County without associated funding and restricted County discretion in service levels or implementation. Neighboring counties with similar populations have more revenue to provide similar, required services. Orange County must meet its mandated responsibilities first, leaving less funding for non-mandated services and other County priorities.

**BACKGROUND:** The County uses General Purpose Revenue to meet its unfunded mandated service requirements by the state and federal governments, such as match requirements for Community Services programs or Maintenance-of-Effort funding, as well as operational expenses for Public Protection and General Government Services departments. 92% of the County's \$1.1 billion General Purpose Revenue comes from property taxes. Orange County receives the lowest property tax allocation of all 58 counties in the state at five cents for every dollar.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- **Guiding Principle - Fair Share Cost Recovery:**
  - The County supports dependable, predictable, and equitable revenue streams and allocation methodologies which reflect County responsibilities, demographics, cost of living, and caseload growth.
  - The County supports full reimbursement for all mandates and other responsibilities imposed by the federal and state governments.

- The County supports adjusting the State's outdated property tax allocation formula so that Orange County receives its fair share of property tax revenue.
- *GS-7: County Revenue:* Support efforts to increase, protect and sustain local autonomy over local revenues, and ensure the County receives its fair share through the adoption of equitable funding mechanisms, such as population-based funding formulas.
- *GS-17: Property Tax Revenue & Funding Equity:* Protect local property tax revenues and rights afforded to the County. Support dependable, predictable, and equitable revenue streams, and adjust the State's outdated property tax allocation formula so that the County receives its fair share of property tax revenue.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Vicente Sarmiento, Second District

SUBJECT: Regional Housing Needs Allocation (RHNA) Credits for Small-Scale Housing

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Ensure local jurisdictions subject to the RHNA process are allowed to receive RHNA credits for all small-scale housing units.

**PROBLEM:** Despite the County's limited supply of land available for development, not all new housing units are counted toward the County's state-mandated RHNA requirements. In particular, the eligibility of some small-scale units—such as tiny homes, modular units, or interim structures—remains ambiguous under existing statute and state guidance.

**BACKGROUND:** The Regional Housing Needs Determination (RHND) and RHNA process is used to determine how many new homes, and the affordability level of the homes, that each local government must plan for in its housing element to meet the housing needs of current and future residents. Local jurisdictions report housing units permitted on an annual progress report to demonstrate a jurisdiction's progress toward meeting its share of the RHNA.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- **CS-28: *Housing:*** Support efforts to increase the availability of housing options including small-scale homes, permanent supportive housing and affordable housing. Promote the flexible use of funding and financing mechanisms to meet the needs of individuals and families, including additional funding for the Local Housing Trust Fund Program and expanded definitions of homelessness. Support additional options for the procurement of materials for affordable housing.
- **CS-35: *Low & Moderate-Income Housing:*** Support efforts to streamline funding, construction processes, and land use regulations, which expedite the development of low- and moderate-income housing units and allow local governments to adequately plan to meet the housing needs of all economic segments of the community.

- *IN-39: Regional Housing Needs Assessment (RHNA)*: Support legislation that provides clarity, addresses inconsistencies, or provides flexibility in the RHNA process for a successful completion of the County's Housing Element.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Vicente Sarmiento, Second District

SUBJECT: Trap-Neuter-Return (TNR) Authorization

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Authorize a carve out for county and city animal shelters within existing law, clarifying these public agencies may support TNR programs for felines in their jurisdictions without violating existing animal abandonment statutes.

**PROBLEM:** While California does not have a statewide ban on TNR programs, some counties have discontinued or been hesitant to initiate such programs. This hesitancy has been attributed to perceived ambiguity in state law regarding the authority or protections related to TNR efforts.

**BACKGROUND:** California Penal Code Section 597 makes it a misdemeanor to abandon an animal. Some counties have curtailed TNR programs, fearing that releasing even feral cats could be considered illegal abandonment.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *CS-3: Animal Care Shelter:* Support funding for regional animal shelter facility maintenance and programs, and support feral cat trap, neuter, and release authority.
- *CS-44: Spay/Neuter:* Support funding for spay/neuter and microchipping education, vouchers, and clinics. Support feral cat trap, neuter, and release authority.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Vicente Sarmiento, Second District

SUBJECT: CalOptima Board of Directors

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Stagger the terms of the seven members of the CalOptima Board of Directors who serve four-year terms to ensure that no more than four board members' terms expire simultaneously.

**PROBLEM:** Under the current structure, the terms of all seven board members serving four-year terms expire simultaneously, which may create a risk of sudden turnover and the potential loss of experienced decision-makers. Staggering terms could mitigate this risk by providing continuity in governance.

**BACKGROUND:** Governance of CalOptima is vested in a governing body consisting of ten members, of whom nine are voting members and one is a nonvoting member. Members of the CalOptima board serve four-year terms, except for those members who are members of the Orange County Board of Supervisors, who serve a one-year term.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- **Guiding Principle - Efficient Service Delivery:**
  - The County supports legislation and budget actions that encourage new technology and innovation to streamline the delivery of services.
  - The County supports legislation and budget actions that reduce access barriers, increase efficiency, and expand equity of public programs.
  - The County supports efforts to reduce maintenance of effort cost requirements, and reasonable administrative or regulatory oversight.
- **CS-39: Public Health & Wellness:** Support measures that protect the public against disease and disability and promote health.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Donald P. Wagner, Third District

SUBJECT: Elections Administration

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Align the standards for first-time voters in federal and non-federal elections to remove a discrepancy in current requirements, which require voter identification for certain first-time voters in a federal election but not in a non-federal election.

**PROBLEM:** Under the Help America Vote Act of 2002 (HAVA), voter identification is required only for first-time voters in a federal election who registered by mail or online without providing a driver's license number, state ID number, or the last four digits of their Social Security number at registration. California's law extends this requirement to meet federal standards but does not require voter identification for first-time voters in a non-federal election who registered by mail or online without providing a driver's license number, state ID number, or the last four digits of their Social Security number at registration.

**BACKGROUND:** Existing law requires a person to provide personal identifying information when registering to vote and requires elections officials to validate the information provided; requires an applicant to certify to the truth and correctness of the content of their voter registration application under penalty of perjury; provides that every person who registers to vote knowing that they are ineligible to do so is guilty of a crime punishable by imprisonment for 16 months or two or three years, or in a county jail not exceeding one year; and states that if a voter is voting in a federal election for the first time after registering online or by mail and did not provide their driver's license number, California identification number, or the last four digits of their social security number on their registration form, they will be asked to show a form of identification when they go to the polls.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *GS-29: Voting Systems & Access:* Support legislation that promotes and increases voter registration and access for as many eligible voters as possible, establishes consistent funding

for the maintenance and replacement of voting systems equipment, and provides adequate funding for the administration of election services.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Supervisor Donald P. Wagner, Third District

SUBJECT: Jury Commissioner Information Sharing

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Require jury commissioners in each county to share information with the Secretary of State, which after confirmation of a voter match will share the information with county elections officials, about registered voters who attest on a juror questionnaire that they are not qualified for jury service in that county for any reason that would also make them ineligible to vote, make them qualified to vote in another county in the state, or indicate that they require accommodation to vote.

**PROBLEM:** Currently, when persons who attest under penalty of perjury that they were eligible to vote on a voter registration affidavit and subsequently attest to a Superior Court that they are not qualified to serve on a jury for a reason that would also make them ineligible to vote, the Secretary of State and county elections officials are not notified. The lack of access to jury questionnaire data may impede the ability the Registrar of Voters to maintain accurate voter files and allow for the risk that persons not eligible to vote could cast a ballot in a local, state, or federal election.

**BACKGROUND:** The Code of Civil Procedure (CCP) provides that if a jury commissioner requires a person to complete a questionnaire, the questionnaire shall only ask questions related to juror identification, qualification, and ability to serve as a prospective juror. Pursuant to CCP Section 203, there are 11 circumstances that exclude persons from eligibility for jury service in the state that include, among others, persons who are not domiciliaries of California or who are not residents of the jurisdiction wherein they are summoned to serve.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *GS-29: Voting Systems & Access:* Support legislation that promotes and increases voter registration and access for as many eligible voters as possible, establishes consistent funding for the maintenance and replacement of voting systems equipment, and provides adequate funding for the administration of election services.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Chairman Doug Chaffee, Fourth District

SUBJECT: Veterans Warm Handoff

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Establish a comprehensive "warm handoff" program designed to improve the reintegration process for service members transitioning from military to civilian life. This proposal aims to strengthen coordination between military discharge points and state and local providers, ensuring earlier connection to available resources and enhanced support.

**PROBLEM:** Integrating back into civilian life after active duty is a complex and often challenging process that demands a significant period of readjustment across multiple domains. Successful reintegration requires addressing a comprehensive set of needs that collectively support a service member's return to health and productivity.

**BACKGROUND:** There are numerous veteran support efforts underway, including a little more than \$1 billion from recent statewide bond funding set aside to support veterans housing and a pilot program dedicated to higher levels of on-site supportive services for older veterans in permanent supportive housing. A pilot report published in February of this year outlines improvements and opportunities for advancement in veterans' health, community engagement, and support services.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *CS-49: Veterans Services, Programs & Housing:* Support programs, services, and funding for our veterans, including:
  - Funding for the County veterans service offices (VSOs).
  - Funding and approval of veteran housing projects.
  - Maintaining veterans as a priority group in the housing voucher program.
- Expedited training and certification for VSO claims officers, and increased access to the veterans' affairs database.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Vice Chair Katrina Foley, Fifth District

SUBJECT: Nitrous Oxide (NOx) Sales Ban

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Fully ban the sale of NOx statewide, except for limited authorized retailers for legitimate culinary and medical purposes.

**PROBLEM:** According to recent data, fatal nitrous oxide poisonings increased by more than 500% from 2010–2023. Despite statewide limits, NOx remains widely sold in smoke shops, gas stations, and online, often labeled as “food use only.” In August, the OC Health Care Agency issued a special report on NOx assessing its use and policy recommendations, highlighting challenges with collecting accurate data and the negative effects of NOx misuse.

**BACKGROUND:** California Penal Code Section 381b–381e makes it illegal to possess or inhale NOx for intoxication, sell or furnish it to minors, or distribute it knowing it will be used for intoxication. Retailers must keep signed sales logs acknowledging the dangers of inhalation, and those records must be retained for one year. Exemptions apply for legitimate uses such as medical or dental anesthesia and as a food propellant. A handful of counties (Orange, San Mateo, Santa Cruz, Humboldt, and Mendocino) have enacted local bans on retail sales outside authorized food or medical channels.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *P-26: Unsanctioned Substance Use:* Monitor state and federal efforts to report and restrict the misuse of substances, including but not limited to nitrous oxide, ketamine, and esketamine, and support efforts to prevent their misuse.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: Vice Chair Katrina Foley, Fifth District

SUBJECT: Homekey+ Project Completion Period Extension

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Under future Homekey+ rounds, allow longer completion periods for projects involving major demolition and rebuild, which are currently limited to twelve months, to expand eligibility to additional housing projects.

**PROBLEM:** Current Homekey+ guidelines distinguish between acquisition and rehabilitation and new construction, but do not adequately address projects that require full or substantial teardowns. In practice, these projects are often classified as adaptive reuse, repurposing or retrofitting existing non-residential structures into new permanent supportive housing. Because adaptive reuse projects typically involve extensive demolition, structure reconfiguration, and major electrical and mechanical upgrades, they align more closely with new construction timelines than with rehabilitation standards.

**BACKGROUND:** Homekey+ is a permanent housing initiative funded by recent statewide bond funding. The current timelines and eligibility requirements for Homekey+ project completion vary depending on the project classification. Acquisition or rehabilitation projects must be completed within twelve months and sixty days from the date of award. In contrast, gap financing and new construction projects must be completed twenty-four months and sixty days from the date of award.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- **CS-28: Housing:** Support efforts to increase the availability of housing options including small-scale homes, permanent supportive housing and affordable housing. Promote the flexible use of funding and financing mechanisms to meet the needs of individuals and families, including additional funding for the Local Housing Trust Fund Program and expanded definitions of homelessness. Support additional options for the procurement of materials for affordable housing.



# County of Orange

County Executive Office

## 2026 LEGISLATIVE PROPOSALS

AGENCY/DEPARTMENT: OC Waste & Recycling

SUBJECT: Landfill Methane Monitoring Technology Modernization

STAFF RECOMMENDATION: Defer to Board

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**PROPOSAL SUMMARY:** Allow the use of alternative methane monitoring technologies, including methane detecting drones and other remote sensing systems, to satisfy compliance obligations, and establish performance-based criteria for the use of these advanced emissions monitoring technologies.

**PROBLEM:** State statute and regulations require the reporting of routine emissions from stationary sources, mandate the identification and mitigation of localized air quality risks, and support climate policy objectives, including the detection and quantification of methane, a potent short-lived climate pollutant. However, California does not yet allow the use of several advanced technologies for methane monitoring. Authorization to use new technologies will increase the frequency, coverage, and accuracy of methane monitoring while reducing the operational challenges and safety risks associated with traditional ground-based methods.

**BACKGROUND:** The California Air Resources Board (CARB) establishes the regulatory framework and oversees recordkeeping, reporting, and compliance obligations for methane monitoring at municipal solid waste landfills, in alignment with state and federal law. Although CARB has not yet authorized these technologies within the state, the United States Environmental Protection Agency (EPA) approved the technologies in December 2022, and they have since been adopted and implemented in other states nationwide.

**LEGISLATIVE PLATFORM POLICY REFERENCE:** Per the Legislative Guidelines, departments will adhere to County and department goals, objectives, and priorities and the Legislative Platform when developing legislative proposals and administrative/regulatory changes for which they plan to seek County-sponsorship. Below are the relevant guiding principles and policy statements from the 2025-2026 Legislative Platform that relate to this proposal.

- *IN-45: Technology for Landfill Management & Compliance:* Support efforts that expand the use of new or existing technology advancements for landfill management and regulatory compliance.