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An act to add Section 21168.6.13 to the Public Resources Code, relating to environmental quality.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) requires that environmental impacts of projects be identified and mitigated. The act also guarantees the public an opportunity to review and comment on the environmental impacts of a project and to participate meaningfully in the development of mitigation measures for potentially significant environmental impacts.

(b) Homelessness in California has reached an all-time high, pervades both urban and rural communities, and puts stress on local resources, including emergency rooms, social service programs, and jails. In addition, the state's homeless population predominantly includes individuals from vulnerable populations, including the severely mentally ill, victims of domestic violence, youths, and veterans.

(c) These statistics highlight the importance of accelerating the siting and construction of emergency shelters, navigation centers, and supportive housing as necessary components to addressing the underlying problems that are often exacerbated by living on the streets.

SEC. 2. Section 21168.6.13 is added to the Public Resources Code, to read:

21168.6.13. (a) For purposes of this section, the following definitions apply:

(1) "Emergency shelter" has the same meaning as set forth in Section 50801 of the Health and Safety Code.

(2) "Navigation center" means a center described in subparagraph (A) of paragraph (4) of subdivision (a) of Section 50490.4 of the Health and Safety Code.

(3) "Project" means either of the following:

(A) Actions taken for the siting or construction of an emergency shelter, navigation center, or supportive housing.

(B) Actions taken for the operation of an emergency shelter or navigation center.

(5) "Supportive housing" has the same meaning as set forth in Section 50675.14 of the Health and Safety Code.

(b) Rules 3.2220 to 3.2237, inclusive, of the California Rules of Court, as may be amended by the Judicial Council, shall apply to an action or proceeding brought to attack, review, set aside, void, or annul the granting of any project approval on the grounds of noncompliance with this division, so that the action or proceeding, including any potential appeals therefrom, shall be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. On or before September 1, 2019, the Judicial Council shall amend the California Rules of Court, as necessary, to implement this section.



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LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____
General Subject: California Environmental Quality Act: judicial review.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA.

The bill would apply certain rules of court establishing procedures requiring actions or proceedings brought to attack, review, set aside, void, or annul the granting of approval of emergency shelter, navigation center, or supportive housing project on the grounds of noncompliance with CEQA, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects. The bill would require the Judicial Council, by September 1, 2019, to amend the California Rules of Court to implement the above provision.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

